



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
January 20, 2022
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- January 6, 2022

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Introduction of Proposed Capital Improvement Plan (CIP) for FY 2023-2029
2. Greater Keene & Peterborough Chamber of Commerce - Regional Branding and Marketing Campaign

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmations
 - Zoning Board of Adjustment
2. Nominations
 - Partner City Committee
 - Human Rights Committee

C. COMMUNICATIONS

1. Councilor Remy - Conflict of Interest - Keene Young Professional's Network - Request to Use Surplus Community Event Funds

2. Councilor Madison - Conflict of Interest - Keene Young Professional's Network - Request to Use Surplus Community Event Funds

D. REPORTS - COUNCIL COMMITTEES

1. Councilor Randy Filiault - Request to Use Excess NH Road Toll Credits as the City's Match for the Lower Winchester Street Project
2. 79E Community Revitalization Tax Relief Application for 112 Washington Street
3. 79E Community Revitalization Tax Relief Application for 310 Marlboro St., LLC
4. Keene Young Professionals Network - Taste of Keene - Use of Surplus Community Event Funding
5. Radio Reprogramming Grant Reimbursement - Deputy Fire Chief
6. Agreement for Leased Parking - Library Director
7. Winchester Street Reconstruction Project - Contract Change Order - City Engineer
8. Colony Court Sewer Replacement Project - Engineering Change Order - City Engineer
9. Lower Winchester Street Reconstruction Project - Project Agreements - City Engineer
10. Wells Street Parking Facility - Design and Technical Services for Repair

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

1. Acceptance of Donations - Finance Director
2. Proposed Amendments to the City Council Rules of Order - City Clerk

G. REPORTS - BOARDS AND COMMISSIONS

1. Resignation of Suzanne Butcher from the Energy and Climate Committee

H. REPORTS - MORE TIME

1. Keene Young Professionals Network – Keene Food Festival - Request to Use City Property

I. ORDINANCES FOR FIRST READING

1. Zone Change - 19 Whitcomb's Mill Road - Rural to Low Density-1
Ordinance O-2022-02

J. ORDINANCES FOR SECOND READING

1. Relating to Class Allocation and Salary Schedule
Ordinance O-2022-01

K. RESOLUTIONS

1. In Support of a Medicare for All Plan
Resolution R-2021-46-A

NON PUBLIC SESSION

ADJOURNMENT

A regular meeting of the Keene City Council was held on Thursday, January 6, 2022. In the Honorable Mayor George S. Hansel's absence, the City Clerk, Patricia Little, called the meeting to order at 7:00 PM. A motion by Councilor Bosley to nominate Councilor Powers as temporary Chair was duly seconded by Councilor Greenwald and the motion passed unanimously. Councilor Bosley led the Pledge of Allegiance. Roll called: Bryan J. Lake, Michael J. Remy, Gladys Johnsen, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers were present. Raleigh C. Ormerod was absent.

ANNOUNCEMENTS

Chair Powers announced a Council workshop on Tuesday, January 11 to continue the discussions on Council Goals. The workshop will start at 6:00 PM in Heberton Hall. Chair Powers continued stating that Staff would be making their traditional presentations before the City Council and the Planning Board on the Capital Improvement projects for the 2023–2029 fiscal years. These presentations will be at the Michael EJ Blastos Community Room on Saturday, January 22. There will be coffee and Danish available at 8:00 AM and the presentations will start at 8:30 AM. This event should conclude by 11:30 AM. Finally, Chair Powers announced that the Legislative Delegation meeting would be hosted by the County on Monday, January 24 at 6:00 PM in Delegation Hall. Councilors can park in the County parking lot on either Winter or Center Streets and enter through the doors that are on either side of the building. Refreshments will be served at 5:15 PM. Delegation Hall is on the 2nd floor.

MINUTES

A motion by Councilor Bosley to adopt the minutes of December 16, 2021 and January 3, 2022 was duly seconded by Councilor Greenwald and the motion passed unanimously.

PUBLIC HEARING – COMMUNITY REVITALIZATION TAX RELIEF – 112 WASHINGTON STREET

The City Clerk noted a Scribner's error in the date of the hearing, which listed the year as 2021. The City Clerk read the public hearing notice and Chair Powers called the public hearing to order at 7:07 PM. The Chairman welcomed City Assessor, Dan Langille, and the applicant, Josh Gorman.

Mr. Langille began by providing background on the 79-E program and how the City got here. The 79-E program allows temporary tax relief that encourages the rehabilitation of underutilized buildings in the downtown area. The City Council has previously set a designated area where buildings in that area would qualify. Mr. Langille explained what is required to qualify. The building owner must spend a minimum of \$75,000 in rehabilitation costs and demonstrate a public benefit. Public benefits include enhancing the downtown economic vitality, improving a culturally or historically important structure, and promoting the preservation and reuse of existing building stock, promoting efficient design, safety, and greater sense of community consistent with the City's Comprehensive Master Plan and the nationally recognized Green Building Standards.

The project does not have to meet all those benefits, but must meet at least one. So, if the applicant meets both those qualifications, they submit an application to the City for Staff review. Staff works with the owner to ensure the application is complete before turning it over to City Council.

Mr. Langille said this was a public hearing before the matter which will be reviewed by the Finance, Organization, & Personnel (FOP) Committee in greater detail. If the FOP Committee determines that relief is granted, it would last up to five years depending on how the Council feels the project meets the public benefit. Then, Mr. Langille would work to value the property prior to any work beginning and the owner would continue paying taxes on that value and the improvements would not be considered until the end of the tax relief.

Mr. Langille turned it over to the building owner, Mr. Gorman, who described the project. Mr. Gorman said that he purchased 112 Washington Street in 2017, at which time it had been vacant for two years and prior to that it had been an office building and mixed-use office and residents. Approximately 70 years ago, it was a tourist travel home and prior to that, it was a stately single-family residence. At the time of Mr. Gorman's purchase, the carriage house was compromised and on the brink of being torn down, and the main brick building was suffering from decades of deferred maintenance, which he said left the property in such disrepair that it was purchased for half of its City-assessed value at that time. Without a repurposed use and extensive repairs, he said the downward spiral was likely to continue. After two- and one-half years of renovation and repair, Mr. Gorman said the property is now a restored historic inn consisting of eight private guestrooms (each with private full baths), operator's quarters, a common parlor, and an operator's kitchen.

Mr. Gorman continued stating that the proposal before the City Council was for the expansion of the inn use through 79-E tax incentives. This expansion would be achieved by adding two guest rooms on the first floor of the carriage house and an apartment on the second floor. The approval of the petition would allow for future preservation, maintenance, as well as further increasing the tax base upon expiration of the incentives. The property currently has an operator's quarters and two part-time staffers, as well as Mr. Gorman and his wife and children. Through this proposal, the operator's quarters in the brick structure would become another guest room, the new apartment on the second floor would be for operator's purposes, and two more guest rooms would be added on the first floor. Cumulatively, this would result in 11 guest rooms and the apartment on the second floor of the carriage house.

Mr. Gorman had appeared before the Zoning Board of Adjustment and received a Variance for this project. He continued stating that he believed the project met six public benefit criteria:

1. Mr. Gorman believed the project would support downtown economic vitality, given that since fully opening July, the current accommodations at the Burrell House have received consistent volume and five-star reviews, and a large majority of these reviews expressed great pleasure in the location of the property and the ability to walk downtown to enjoy the many wonderful local restaurants, cafes, and shops. Many of the reviews also expressed a desire to return and explore Keene again soon. Mr. Gorman said that the addition of guest rooms resulting from this project would certainly further contribute to

supporting the economics of our downtown merchants as well as the entire Monadnock region.

2. He believes the project would enhance a culturally and historically important structure. He said the carriage house and this property are truly one of a kind of properties and the admiration of almost every passerby, who often take pictures of it. The carriage house is on the New Hampshire Historic Properties Register and when the property was purchased, the previous owner had contemplated tearing it down. Since acquiring the property, he said many repairs have been made to save the structure. The challenge now is to create viability for the structure in the longer-term, so it can always be maintained and cherished by our community, which the interior renovations would enable.
3. Promoting the preservation of reuse of existing building stock by the rehabilitation of historic structures. Mr. Gorman said the exterior of the carriage house would maintain all of its existing historically accurate features and the interior renovations would allow for the reuse of much of the beadboard, which is currently on the ceilings and walls of the entire first floor. This reuse of the vacant structure would allow for future maintenance and preservation.
4. Mr. Gorman said that the renovation of the carriage house and expansion of the guests rooms would promote efficient design, safety, and a greater sense of community in a manner consistent with pages 52–55 of the Comprehensive Master Plan, which specifically addresses the various elements, challenges, and importance of maintaining our City's history through the preservation, reuse, and energy upgrades of our many historic architectural gems. The Master Plan also speaks to this important issue. Mr. Gorman said the 79-E program is a prime example of such a program and this project captivates all the purposes, challenges, and benefits relative to the reuse, preservation, and efficiency. Pages 56–58 of the Comprehensive Master Plan also address the need and benefit of having a vibrant, walkable community. Mr. Gorman said the location and use of this building promotes such walkability for all its guests and employees, thus benefiting the many downtown merchants.
5. Mr. Gorman believes that the renovations directly support the integration of public art downtown. He believes the carriage house and its details of a time long since passed are actually a form of public art. To meet the challenges maintaining these forms of public art, useful repurposing and reuse is essential and Mr. Gorman said this project accomplishes just that.
6. Mr. Gorman said the renovations would include Energy Star window and the complete structure would include a modern, highly efficient mini-split heating and cooling system.

Mr. Gorman concluded stating that he broke down project costs as required by the application and cumulatively, he estimated putting \$177,700 into the structure from start to finish.

Councilor Jones said this was a good gateway project that he liked a lot. He asked Mr. Langille whether there was a time window in the 79-E Ordinance that gives the Council flexibility. Mr. Langille said that the City Council approved the 79-E Ordinance and there is a statutory limit of up to five years of tax relief. Councilor Jones asked at what point the time limit is determined and

Mr. Langille said that would be when the Council votes on the application at their next City Council meeting, following the FOP recommendation.

Councilor Giacomo remarked that he walks past the building often and has loved watching the transformation. He asked whether the tax relief was on all the renovations made since 2017 of just the new renovations in this application. Mr. Langille replied that Mr. Gorman already has tax relief in place for the existing building and the tax relief from this application would only apply to the carriage house. Once the first tax relief expires, the renovations since 2017 would be added to the whole value.

Hearing no further comments, Chair Powers closed the public hearing at 7:21 PM, except for written public comments, which will be accepted until 1:00 PM on Tuesday, January 11. Written comments must be signed and submitted to the City Clerk by that date and time to be included in the record.

A true record, attest:


City Clerk

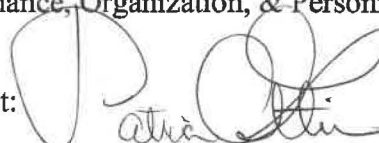
PUBLIC HEARING – COMMUNITY REVITALIZATION TAX RELIEF – 310 MARLBORO STREET

The City Clerk read the public hearing notice and Chair Powers called the public hearing to order at 7:22 PM. The Chairman welcomed City Assessor, Dan Langille.

Mr. Langille said this was another 79-E application for a project by Randall Walter, who was not present, and so Mr. Langille only provided an overview of the project as he understood it. Mr. Langille said that much of the project was focused on energy efficiencies. He said that 310 Marlboro Street is large commercial mixed-use building. Mr. Walter seeks to add solar panels and heat pumps, as well as some interior work to enhance energy efficiencies. Mr. Langille said that the application met the required thresholds.

Hearing no comments or questions, Chair Powers closed the public hearing at 7:24 PM, except for written public comments, which will be accepted until 1:00 PM on Tuesday, January 11. Written comments must be signed and submitted to the City Clerk by that date and time to be included in the record. This matter would be heard by the Finance, Organization, & Personnel Committee on January 13.

A true record, attest:


City Clerk

CONFIRMATIONS – INCUMBENTS TO SERVE A SECOND TERM

Mayor Hansel nominated the following individuals to serve a second term on their respective Committees: to the Airport Development and Marketing Committee: Peter Temple with a term to

expire December 31, 2022, Elizabeth Bendel, and Councilor Greenwald with terms to expire December 31, 2024; to the Ashuelot River Park Advisory Board: Steve Hooper with a term to expire December 31, 2024; to the Assessors Board: Rita Johnson with a term to expire December 31, 2024; to the Bicycle and Pedestrian Path Advisory Committee: Dillon A. Benik with a term to expire December 31, 2024; to the Building Board of Appeals: Doug Brown with a term to expire December 31, 2024; to the Conservation Commission: Alexander Von Plinsky, Kenneth Bergman, and Thomas Haynes with terms to expire December 31, 2024, and Councilor Williams with a term to expire December 31, 2023; to the Energy and Climate Committee: Zach Luce, and Bryan Lake with terms to expire December 31, 2024, Councilor Ormerod with a term to expire December 31, 2023, and Andrew Dey with a term to expire December 31, 2024; to the Heritage Commission: Cauley Powell with a term to expire December 31, 2024, Marilyn Huston with a term to expire December 31, 2022, Councilor Johnsen and Brian Lee with terms to expire December 31, 2023; to the Historic District Commission: Councilor Workman and David Bergeron as an alternate with terms to expire December 31, 2024; to the Housing Standards Board of Appeal: Doug Brown with a term to expire December 31, 2024; to the Human Rights Committee: Marti Fiske with a term to expire December 31, 2023, Jan Manwaring, Shaun Filiault and Mohammad Saleh with terms to expire December 31, 2024; to the Partner City Committee: Kurt Blomquist with a term to expire December 31, 2023, Mayor Hansel, Lena Kridlo and Dawn Thomas-Smith with terms to expire December 31, 2024; to the Planning Board: Harold Farrington with a term to expire December 31, 2024, and Councilor Remy with a term to expire December 31, 2023; to the Trustees of Trust Funds: Jennie Newcombe with a term to expire December 31, 2024; and, to the Zoning Board of Adjustment: Joseph Hoppock with a term to expire December 31, 2024.

A motion by Councilor Bosley to confirm the nominations was duly seconded by Councilor Greenwald and the motion passed unanimously on a roll call vote with 14 Councilors present and voting in favor.

CONFIRMATIONS – NEW MEMBERS

Mayor Hansel nominated the following new members to City Boards and Commissions: to the Airport Development and Marketing Committee: Luca Paris with a term to expire December 31, 2022; to the Ashuelot River Park Advisory Board: Councilor Chadbourne with a term to expire December 31, 2023; to the Energy and Climate Committee: Diana Duffy with a term to expire December 31, 2024; to the Human Rights Committee: Hunter Kirschner and Rabbi Daniel Aronson with terms to expire December 31, 2023; to the Keene Housing Authority: Steve Bianco with a corrected term to expire December 31, 2027; to the Planning Board: Armando Rangel as an alternate with a term to expire December 31, 2022; and, to the Trustees of Trust Funds: Martha Curtis with a term to expire December 31, 2024.

A motion by Councilor Bosley to confirm the nominations was duly seconded by Councilor Greenwald and the motion passed unanimously on a roll call vote with 14 Councilors present and voting in favor.

NOMINATIONS

Mayor Hansel renominated Jane Taylor to the Zoning Board of Adjustment with a term to expire December 31, 2024 and nominated Richard Clough to the Zoning Board of Adjustment for a first term to expire December 31, 2023.

Chair Powers tabled the nominations until the next regular meeting.

COMMUNICATION – FREDERICK PARSELLS – STREET NUMBERS ON DISPLAY ON RESIDENTIAL DWELLINGS

A communication was received from Frederick Parsells, encouraging an educational campaign to advise homeowners of the City requirement that they properly display the street numbers on their dwellings. Chair Powers referred the communication to City Staff to be managed administratively.

COMMUNICATION – KEVIN LEARY – ACCESS TO PROPERTY 218-009-000-000 THROUGH THE OLD GILSUM ROAD

A communication was received from Kevin Leary, requesting access to the Fontaine property (TMP 218-009-000-000) through the Old Gilsum Road. Chair Powers referred the communication to the Municipal Services, Facilities, & Infrastructure Committee.

COMMUNICATION – COUNCILOR RANDY FILIAULT – REQUEST TO USE EXCESS NH ROAD TOLL CREDITS AS THE CITY'S MATCH FOR THE LOWER WINCHESTER STREET PROJECT

A communication was received from Councilor Randy Filiault, requesting that the City submit a written request urging NHDOT to approve the application of excess toll credits to the lower Winchester Street project as the City's local match of 20%. Chair Powers referred the communication to the Finance, Organization, & Personnel Committee.

CITY MANAGER COMMENTS

First, the City Manager shared that the Keene Public Library is pleased to announce partnerships with human service organizations that will offer office hours at the Library. Organizations providing direct services to residents will be available at the library on a weekly schedule to share information with interested citizens and assist library staff in providing better reference services to visitors. Better Life Partners, the Serenity Center, and Monadnock Family Services are the first organizations in the partnership. Better Life Partners aids people dealing with substance use issues and the Serenity Center assists those with alcohol use issues. A Monadnock Family Services PATH Outreach Specialist will be available to help those dealing with serious mental health issues and experiencing homelessness. Interested individuals may drop in anytime for information. Starting Friday, January 7, Better Life Partners and the Serenity Center will share office hours every Friday from 1–3 PM, and as of Wednesday January 12, Monadnock Family Services PATH will be available on the second and fourth Wednesdays from 1–3 PM. The Library is seeking to expand office hours with other Human Service organizations. Interested groups should contact the Library Director, Marti Fiske.

The City Manager continued stating that the beginning of 2022 had been busy for the Human Resources Department and City Staff. We have brought on board 10 new employees: five full-time on January 3rd to include three full-time firefighters, which will fill all fulltime vacancies, in addition to one Youth Services Manager and a Lab Technician. Additionally, within the City workforce, employee families have had four new baby additions, including one that was the first baby of 2022 in our region. Jack LaPorte of the Keene Police Department and his wife, Cailey, welcomed their newborn daughter, Kennedy, into the world on January 1 at 12:24 PM. Saturday at Brattleboro Memorial Hospital, Kennedy was the first birth reported by a local hospital in 2022.

Next, the City Manager shared a Public Works Department update. Winter would be making a showing after the meeting. Crews spent this afternoon loading and hooking up vehicles in preparation for tonight-into-tomorrow's snow event. Snow Command was anticipating 2"-4" in Keene with closer to 4" in the higher elevations. Looking forward into the weekend, another round of wintry mix was forecasted for Sunday. This had the potential for light icing. Snow plow operators asked that drivers not crowd the plows. If you cannot see the plow diver in their mirror, the driver cannot see you. Stay in the know by monitoring the Public Works Department Facebook and Twitter feeds.

The City Manager announced the Department of Parks & Recreation Winter Fest on Saturday January 29 from 1-3 PM at the Recreation Center, with outdoor games, music, popcorn, hot cocoa, and smores.

The City Manager also announced that the Human Rights Committee would be hosting a virtual event Monday Jan 17 from 10:00 AM-11:15 AM entitled "Building the beloved community: the time is right to do what is right about health disparities in NH."

The City Manager concluded with her Covid-19 update. As of January 5, Cheshire Medical Center had 27 inpatients with Covid-19, including nine in the ICU all on ventilators. Because two patients require dialysis as well, their 10 bed ICU is full. There are four patients on high flow oxygen. Yesterday the plan was to transfer three patients to their surge ICU. This is done to give them more capacity than they currently have. Hopefully, the percent positivity is really falling (was 21% and is now 19%). However, hospitalizations lag by two weeks behind percent positivity. She said we also expect to see a surge because of familys getting together over the holidays. The City Manager advised that quarantine and isolation guidance was changing at both the State and CDC. The major change was around shortening the quarantine and isolation period to five days with an additional five to 10 days of mask wearing depending on the situation, instead of the previous 10-day recommendation. She said this change was a big deal and was intended to bring people back into the workforce sooner.

Councilor Johnsen noted that she heard something from the Governor about deploying the National Guard. The City Manager said that there was discussion about making more National Guard available throughout the State to support medical care, but she was unsure if that meant they would be seeing more National Guard in the Monadnock region. While local workforce had

been impacted by Covid-19, the City Manager said it was not to a degree that services had been impacted detrimentally.

**ORDINANCE FOR FIRST READING – RELATING TO CLASS ALLOCATION AND
SALARY SCHEDULE – ORDINANCE O-2022-01**

A memorandum read from the HR Director/ACM, Elizabeth Fox, requesting that the City Council refer Ordinance O-2022-01 to the Finance, Organization, & Personnel Committee. Chair Powers referred Ordinance O-2022-01 to the Finance, Organization, & Personnel Committee.

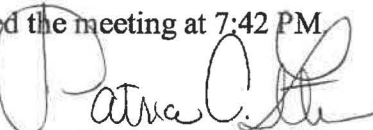
**RESOLUTION – IN APPRECIATION OF MICHAEL S. WALDEN UPON HIS RETIREMENT
– RESOLUTION R-2022-02**

A memorandum read from the HR Director, Elizabeth Fox, with Resolution R-2022-02, recognizing Michael A. Walden's 24 years of service to the Public Works Department. A motion by Councilor Bosley to adopt Resolution R-2022-02 was duly seconded by Councilor Greenwald and passed unanimously.

ADJOURNMENT

Hearing no further business, Chair Powers adjourned the meeting at 7:42 PM.

A true record, attest:


City Clerk

City of Keene

New Hampshire

January 20, 2022

TO: File

FROM: Patricia A. Little, City Clerk

SUBJECT: INTRODUCTION OF PROPOSED CAPITAL IMPROVEMENT PLAN (CIP) FOR FY
2023 - 2029

At a regular meeting of the Keene City Council, held on January 20, 2022, the following action occurred relative to the proposed CIP for Fiscal Year 2023 through 2029:

Mayor Hansel announced that the proposed CIP document for FY 2023-2029 has been provided to Councilors on their desks this evening. He further noted that staff presentations are scheduled to occur at the Michael E.J. Blastos Community Room on Saturday, January 22, 2022 at 8:30 am for City Council and Planning Board members. He went on to refer the proposed CIP to the Planning Board and the Finance, Organization and Personnel Committee. The CIP review will occur at the FOP meetings of January 27, 2022, February 10, 2022 and, if necessary, February 24, 2022. These meetings will start at 5:30 PM. The Mayor ended by announcing that a public hearing will be scheduled for March 3, 2022 at 7:00 PM.

Attest:

A handwritten signature in blue ink, appearing to read 'Patricia A. Little', is written over a faint, circular official stamp.

City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.1.

Meeting Date: January 20, 2022
To: Mayor and Keene City Council
From: Mayor George S. Hansel
Through: Patricia Little, City Clerk
Subject: **Confirmations**

- **Zoning Board of Adjustment**

Council Action:

In City Council January 20, 2022.

Voted unanimously to confirm the nominations.

In City Council January 6, 2022.

Tabled until the next regular meeting.

Recommendation:

I hereby nominate the following individuals to serve on the designated board or commission:

Zoning Board of Adjustment

Jane Taylor, slot 4
re-nomination

Term to expire Dec. 31, 2024

Richard Clough, slot 5
71 Valley Street

Term to expire Dec. 31, 2023

Attachments:

1. Background_Clough_Redacted

Background:

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Thursday, December 16, 2021 8:57 AM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Thu, 12/16/2021 - 08:57</p>

<p>Submitted values are:</p>

First Name:

Richard

Last Name:

Clough

Address

71 Valley St

Email:

Cell Phone:

6039037680

Home Phone:

6039037680

Please select the Boards or Commissions you would be interested in serving on:

Historic District Commission, Zoning Board Adjustment

Employer:

Southwest Region Planning Commission

Occupation:

Office Support

Education:

BA History/Theater Keene State College

Have you ever served on a public body before?

No

Please provide some references:

Tim Murphy

tmurphy@swrpc.org

6033570557

References #2:

Medard Kopczynski
mkopczynski@keenenh.gov
603-757-1875



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.2.

Meeting Date: January 20, 2022
To: Mayor and Keene City Council
From: Mayor George S. Hansel
Through: Patricia Little, City Clerk
Subject: **Nominations**

- **Partner City Committee**
- **Human Rights Committee**

Council Action:
In City Council January 20, 2022.
Tabled until the next regular meeting.

Recommendation:

Attachments:

1. Schwieger, Heidi_redacted

Background:

I hereby nominate the following individuals to serve on the designated Board or Commission:

Partner City Committee

Michael Giacomo, Councilor, slot 2
re-nomination

Term to expire Dec. 31, 2023

Human Rights Committee

Heidi Schwieger, alternate, slot 11

Term to expire Dec. 31, 2024

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Thursday, December 30, 2021 2:47 PM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Thu, 12/30/2021 - 14:46</p>

<p>Submitted values are:</p>

First Name:

Heidi

Last Name:

Schwieger

Address

Jonathan Daniels Center for Social Responsibility
246 Main St
Keene NH 03431

Email:

jdcenter@hsccnh.org

Cell Phone:

[6037628416](tel:6037628416)

Please select the Boards or Commissions you would be interested in serving on:

Human Rights Committee

Employer:

Jonathan Daniels Center for Social Responsibility

Occupation:

Executive Director

Education:

BA Allegheny College, Fulbright Scholar

Have you ever served on a public body before?

No

Other Information/Relevant Experience:

Experienced non-profit professional, advocate and educator. Life-long champion of inclusivity. Currently attend HRC meetings as a guest. Would gladly serve as alternate or welcome consideration for future nomination as appropriate.

Please provide some references:

Carl Jacobs

References #2:

Jen Swartout

jswartout@antioch.edu

5082654244



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Councilor Michael Remy

Through: Patricia Little, City Clerk

Subject: **Councilor Remy - Conflict of Interest - Keene Young Professional's Network - Request to Use Surplus Community Event Funds**

Council Action:

In City Council January 20, 2022.

Voted unanimously to accept the conflict of interest from Councilor Remy.

Recommendation:

Attachments:

1. Communication_Remy

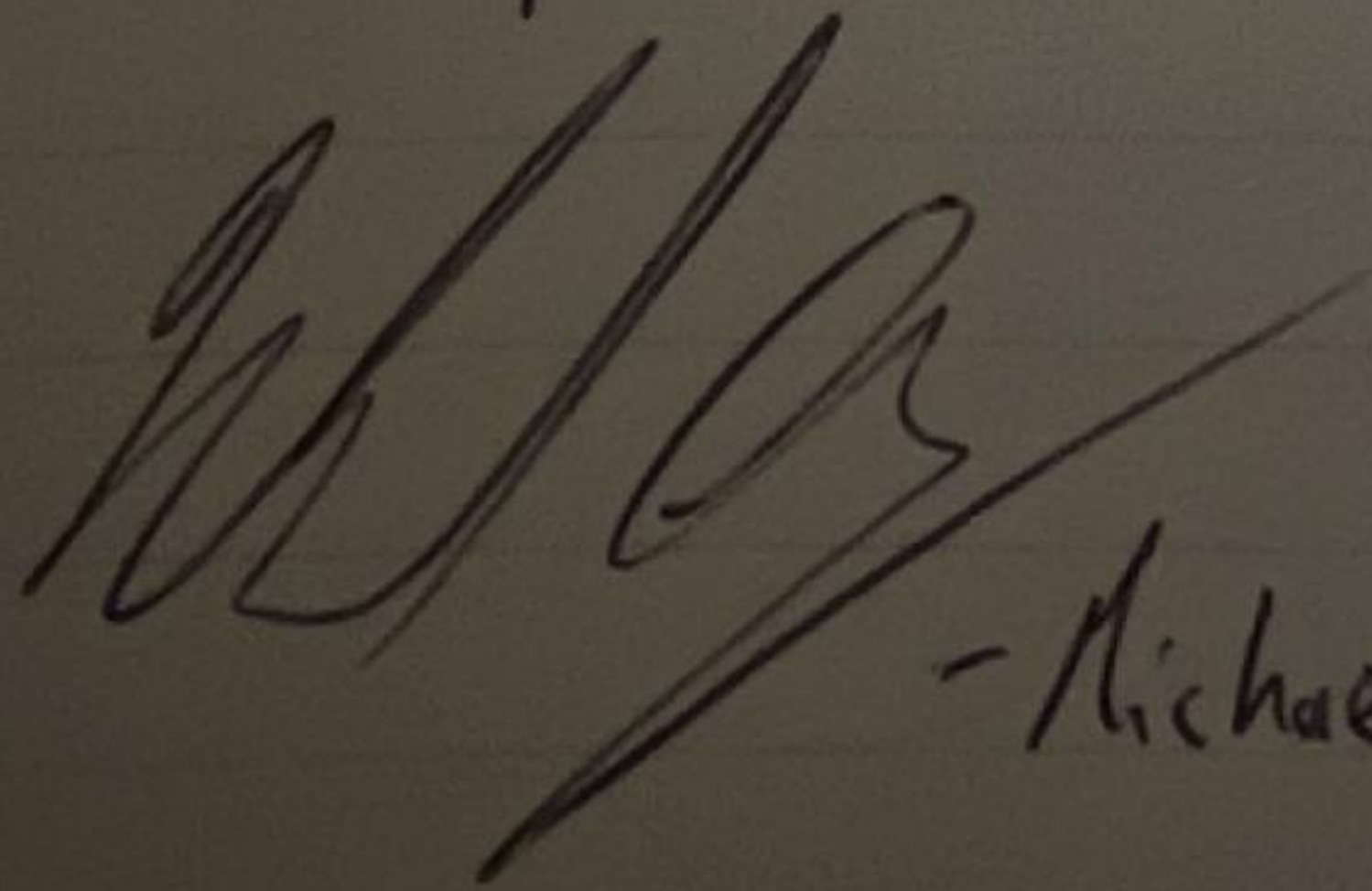
Background:

Councilor Remy is submitting a conflict of interest regarding the Keene Young Professional's Network request to use surplus community event funds for the Food Festival.

Mayor Hansel and Council,

I recused myself from the vote on KYPN receiving funds from the city as I am the events chair on KYPN's board. I do not see a similar conflict with the item currently before PLD on more time to close the road as finances aren't inherently tied to that issue.

Thanks!

A stylized, handwritten signature in dark ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

-Michael Remy



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Councilor Andrew Madison

Through: Patricia Little, City Clerk

Subject: **Councilor Madison - Conflict of Interest - Keene Young Professional's Network - Request to Use Surplus Community Event Funds**

Council Action:

In City Council January 20, 2022.

Voted unanimously to accept the conflict of interest from Councilor Madison.

Recommendation:

Attachments:

1. Communication_Madison

Background:

Councilor Madison is submitting a conflict of interest statement regarding the Keene Young Professional's Network request to use surplus community event funds for the Food Festival.

01/17/2021

To the Honorable Mayor and City Council,

I respectfully request to recuse myself from any votes pertaining to the Taste of Keene Food Festival, hosted by the Keene Young Professionals Network. I currently sit on the board of the Keene Young Professionals Network and on the planning committee for the Taste of Keene Food Festival. Although my responsibilities do not involve the management of finances related to the organization nor to the event, and therefore do not rise to the level of having a pecuniary interest in the organization or event requiring my recusal under the current rules of order, I nonetheless believe I should recuse myself to eliminate any suggestion of a conflict of interest. It is worth noting that the rules of order proposed to the City Council at our December 2 meeting would have required my recusal on this matter.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Andrew M. Madison".

Andrew M. Madison



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.1.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Councilor Randy Filiault - Request to Use Excess NH Road Toll Credits as the City's Match for the Lower Winchester Street Project**

Council Action:

In City Council January 20, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the Mayor and City Manager submit a letter to the State on behalf of the City in support of the opportunity for the City to obtain surplus motor vehicle highway toll credits to fund the 20% local City match required to obtain Federal transportation grant funds and to take any appropriate action to accomplish this purpose.

Attachments:

None

Background:

City Councilor Filiault addressed the Committee first and stated in approximately 10 days they will be meeting with the County Legislative Delegation over different issues and funds the State of New Hampshire owes the City of Keene. He noted the toll issue is another one of those issues he felt the taxpayers of the City of Keene are being short changed on. With that, the Councilor turned the presentation over to Chuck Redfern of 9 Colby Street, Keene.

Mr. Redfern stated there are six organizations in the State which collectively promote the rail trail systems and for Keene the local organization is Pathways for Keene. These rail trail organizations have collectively identified an issue where the Federal government provides funds for transportation projects and it requires New Hampshire cities and towns match these Federal projects with a match of 20% with local funds. He noted many towns and cities cannot afford to provide this match. As a result, many local sidewalks, rail trails, pedestrian facilities, roads and bridges are never built or are built on the backs of the local taxpayer.

Mr. Redfern continued the State of New Hampshire has excess toll credits; which are Federal credits generated by New Hampshire drivers using toll roads in the State. These toll credits are routinely used by the New Hampshire Department of Transportation to satisfy their match requirement on

projects which is also 20% match by 80% Federal funding. New Hampshire law prohibits towns and cities from using these credits on Federal projects, except with approval of the joint legislative capital budget overview committee, which almost never allow such use. New Hampshire has had such a surplus of these toll credits now running at approximately \$200 million. Mr. Redfern stated Senator Shaheen has inserted a provision in the recently passed Federal infrastructure bill that would allow New Hampshire DOT to sell these credits to other states at a discount. He added a simple change in State law will allow New Hampshire cities and towns to use the same Federal credits, and no Federal approval would be required for this. Mr. Redfern stated what they are proposing is to sponsor the necessary change in State law to allow New Hampshire cities and towns to use these credits without payment – however, Council support is necessary to get this into law.

Mr. Redfern went on to explain, toll credits are paid by drivers and are used to build and maintain New Hampshire interstate highways. They can also be used as credits in lieu of State matching funds on Federal projects, but according to DOT policy they are only on projects administered by New Hampshire DOT. The recently passed Federal toll credit Marketplace Act would allow surplus toll credits to be sold to other states at a discounted rate. The group feels New Hampshire surplus toll credits should also be made available to municipalities and nonprofit groups for their 20% match to secure Federal grants.

He went on to say, these additional 20% in toll credits are going to help build New Hampshire projects or are they going to support out of state projects; this is the basic premise to be kept in mind. Some argue this could reduce Federal funds coming into municipalities. If the municipalities are allowed to buy these toll credits at a discounted rate as other states are going to be permitted to do, preference ought to be given to New Hampshire. Toll credits are not cash, but are applied to federally supported projects.

Mr. Redfern referred to the lower Winchester Street project and felt there could be the compromise using these credits instead of the City matching at 20% but perhaps matching at 10%; this could be a savings of nearly half a million dollars, which is significant money for the local taxpayer. Mr. Redfern stated the Town of Swanzey recently submitted a request for one of their Rail Trail project for toll credits be applied, but that was quickly rejected in an email. Hence, he felt Keene should have a fallback position and go for the discounted rate. This concluded Mr. Redfern's comments.

The Manager noted Mr. Redfern is great at finding the City available money and every time he calls with an idea staff pays attention. When he called about this project, the City agreed to be a test case with the New Hampshire Department of Transportation and to request funding. The City did select the Lower Winchester Street project as the project to use for the request. The Manager stated she has submitted a request to the Commissioner of New Hampshire Department of Transportation for the Lower Winchester Street reconstruction project. This project is just over \$9 million dollars and the City's local share is \$1.8 million dollars. The City has put in a request for 50%; the discounted value of the toll credits and made the case if they are in fact going to sell it on the marketplace at a discounted rate it makes more sense to keep those dollars here, invest them locally in New Hampshire and that we respectfully request that 10% of our 20% match be funded through those toll credits. The Manager stated she has not heard back as quickly as Swanzey, and felt maybe that is a positive thing. She added she supports any sort of legislation that would help enable this and make this clear for the future that all municipalities would have an opportunity to pay the same rate DOT is going to sell these credits to other states.

Councilor Filiault applauded the City Manager for moving forward on this. He added if the City doesn't get aggressive and go after what is owed us, the City won't get it. He added silence is not an option anymore – this is money owed to the tax payers. Mr. Redfern stated it will be in the legislators' hands to make the change and there is some language identified to help make the change happen.

Councilor Remy extended his appreciation to the two presenters for all their efforts. Councilor Madison echoed Councilor Remy's comments and indicated he wasn't aware toll credits before Council Filiault brought this to the Council's attention. He referred to RSA 228-12a and suggested if language is being submitted to the legislature, they request that they amend RSA 228-12a – "to open up the use of toll credits for non-vehicular travel". At the present time the way in which the RSA reads is that it restricts toll credits to road and highway projects specifically for the use of motor vehicle and he felt this is why perhaps Swanzey's project was rejected so quickly because it was for a Rail Trail project. He stated he would like to see more environmentally friendly projects where these toll credits could be used.

Mr. Redfern stated they are proposing to add if Federal funding is also applied.

Councilor Lake made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the Mayor and City Manager submit a letter to the State on behalf of the City in support of the opportunity for the City to obtain surplus motor vehicle highway toll credits to fund the 20% local City match required to obtain Federal transportation grant funds and to take any appropriate action to accomplish this purpose.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.2.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **79E Community Revitalization Tax Relief Application for 112 Washington Street**

Council Action:

In City Council January 20, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends granting a period of five years for this application.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council determine that the structure proposed for redevelopment located at 112 Washington Street is a qualifying and historic structure as defined by RSA 79E; that the structure is not within the tax increment financing district, but the structure is not a residential property, subject to an election towards tax assessment relief under the low income housing tax credit program of RSA 75-1A; that the proposed rehabilitation costs estimate exceeds the threshold amount of \$75,000 and constitutes substantial rehabilitation that is at least \$5,000 of the total rehabilitation costs and is devoted to energy efficiency in accordance with the US Secretary of the Interiors Standards for Rehabilitation; that the proposed rehabilitation is consistent with the City's master plan, and that the proposed rehabilitation provides the following public benefits as required by Resolution R-2018-33:

1. Enhances the economic vitality of downtown areas.
2. Enhances and improves a structure that is culturally or historically important on a local, regional, state or national level, either independently or within the context of a Historic District Town Center or Village Center in which the building is located.
3. Promotes the preservation and reuse of existing building stock throughout a municipality by the rehabilitation of historic structures, thereby conserving the embodied energy in accordance with energy efficiency guidelines established by the US Secretary of the Interior Standards for Rehabilitation.
4. Promotes efficient design, safety, and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan.
5. Results in an increase in energy sustainability and conformance with the City adopted greenhouse gas emissions, as determined by Home Energy score of at least six and demonstrated carbon emissions reduction of at least 10.

Therefore, the Committee recommends that the application for real property tax relief on any assessed tax increment resulting from the substantial rehabilitation of the qualifying structure be granted for a period of five years, beginning with the substantial rehabilitation as determined by the City's Community Development Department, and conditioned upon the property owner granting to the City at the time of substantial completion, a covenant ensuring the structure shall be maintained and used in a manner that furthers the public benefits for the period of the tax relief to be recorded at the Cheshire County Registry of Deeds at the expense of the property owner.

Attachments:

None

Background:

Councilor Powers noted he does not believe there is a conflict as there is no money involved, but Mr. Gorman is his cousin. The Committee did not object to the Chairman being part of this discussion. The Chairman noted the applicant and City staff have completed all the necessary background work related to this item and the project is at its final stages.

City Assessor Dan Langille addressed the Committee and stated there are two goals tonight; one is to determine if there is a public benefit for the project proposed tonight. If there is a public benefit, then the Committee needs to determine what is the length of tax relief the City would be willing to provide the applicant. The tax relief is the value associated with the improved value, but the applicant will continue to pay taxes on what is there today. He turned the presentation over to the applicant.

Mr. Josh Gorman stated what he is proposing is to rehabilitate the Old Carriage House and by doing so he would be putting it on the tax rolls. He indicated the 79-E program is a great program, in that it gives the property owner some incentive to make improvements which are necessary and in the long term it creates tax value. He noted he did receive five years of relief for the main project based on pre-construction tax assessed value. Mr. Gorman stated what he is requesting today in that he has met six out of nine possible criteria he appreciates any amount the City would be willing to give him in tax relief.

Councilor Remy felt this was a great project and that 79-E is a good incentive program to help reinvest in properties. He hoped this program will help the City upgrade some of its housing stock in other parts of the City.

Councilor Chadbourne asked whether the Carriage House was ever used as a living space. Mr. Gorman stated it was used for horse and buggies and at the present time sits roughly in that same condition. He added in order to maintain these pieces of architecture, it is essential to repurpose them. It is a full foundation, two story house. It has water, sewer and electric running to it.

Councilor Lake clarified the 79-E that exists on the main house will be treated separately from the tax relief that is given, assuming this item goes forward, from the carriage house; in three years it will just be tax relief on the carriage house. The Assessor answered in the affirmative.

The Assessor added the committee report outlines all the public benefits the applicant has requested and staff's opinion on them. Staff feels this is a very thorough application and this is an exciting project. The only aspect staff does not agree with is that staff doesn't see this project directly supporting or integrating public art into the downtown. This does not take away from the beauty or architecture of the building. The reason 79-E was put in place was to preserve architectural gems like this.

Councilor Remy stated he is in support of five years and felt this is something people should be applying for. He felt it is a great example of a project in this area.

Councilor Remy made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends granting a period of five years for this application.

Councilor Madison made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council determine that the structure proposed for redevelopment located at 112 Washington Street is a qualifying and historic structure as defined by RSA 79E; that the structure is not within the tax increment financing district, but the structure is not a residential property, subject to an election towards tax assessment relief under the low income housing tax credit program of RSA 75-1A; that the proposed rehabilitation costs estimate exceeds the threshold amount of \$75,000 and constitutes substantial rehabilitation that is at least \$5,000 of the total rehabilitation costs and is devoted to energy efficiency in accordance with the US Secretary of the Interiors Standards for Rehabilitation; that the proposed rehabilitation is consistent with the City's master plan, and that the proposed rehabilitation provides the following public benefits as required by Resolution R-2018-33:

1. Enhances the economic vitality of downtown areas.
2. Enhances and improves a structure that is culturally or historically important on a local, regional, state or national level, either independently or within the context of a Historic District Town Center or Village Center in which the building is located.
3. Promotes the preservation and reuse of existing building stock throughout a municipality by the rehabilitation of historic structures, thereby conserving the embodied energy in accordance with energy efficiency guidelines established by the US Secretary of the Interior Standards for Rehabilitation.
4. Promotes efficient design, safety, and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan.
5. Results in an increase in energy sustainability and conformance with the City adopted greenhouse gas emissions, as determined by Home Energy score of at least six and demonstrated carbon emissions reduction of at least 10.

Therefore, the Committee recommends that the application for real property tax relief on any assessed tax increment resulting from the substantial rehabilitation of the qualifying structure be granted for a period of five years, beginning with the substantial rehabilitation as determined by the City's Community Development Department, and conditioned upon the property owner granting to the City at the time of substantial completion, a covenant ensuring the structure shall be maintained and used in a manner that furthers the public benefits for the period of the tax relief to be recorded at the Cheshire County Registry of Deeds at the expense of the property owner.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.3.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **79E Community Revitalization Tax Relief Application for 310 Marlboro St., LLC**

Council Action:

In City Council January 20, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends granting a period of five years for this application.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Council determine that structure proposed for redevelopment located at 310 Marlborough Street is a qualifying structure as defined by RSA 79E; that the structure is not within a currently defined tax increment financing district; that the structure is not a residential project subject to an election for tax assessment relief under the low income housing tax credit program of RSA 75-1a; that the proposed rehabilitation cost estimates exceed the threshold amount of \$75,000 and constitutes substantial rehabilitation; that at least \$5000 of the total rehabilitation cost is devoted to energy efficiency and according to the US Secretary of the Interior Standards for Rehabilitation; that the proposed rehabilitation is consistent with the City's Master Plan; and that the rehabilitation provides the following public benefits as required by Resolution R-2018-33:

1. Enhances the economic vitality of downtown areas.
2. Promotes efficient design safety and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan.
3. Adds to the City's employment base by creating at least one new full time job and keeps it in the downtown area.
4. Directly supports the integration of public art in the downtown,
5. Promotes development of a sustainable building stock in the downtown that achieves a nationally or internationally recognized green building standard.

Therefore, the committee recommends the ability for real property tax relief on any assessed tax increment resulting from the substantial rehabilitation of the qualifying structure be granted for a period of five years, beginning with a substantial rehabilitation as determined by the City's Community Development Department and conditioned upon the property owner granting to the City at the time of substantial completion, a covenant ensuring that the structure shall be maintained and

used in a manner that furthers the public benefits for the period of the tax relief to be recorded at the Cheshire County Registry of Deeds at the expense of the property owner.

Attachments:

None

Background:

Mr. Randall Walter addressed the Committee and stated 79-E program is an ideally suited program for 310 Marlborough Street. This is an 82,000 square foot building and when \$75,000 is invested into it would be the investment of .91 cents a square foot.

Mr. Walter noted this building has a great history in the City of Keene. It was originally built by the Pittsburgh Plate Glass Company for the Pittsburgh paints division and they manufactured paint brushes. It was a vital resource for that company to access New England's hardwoods. He indicated while this is a very important project for Keene it is not actually a historic building. This building was constructed in 1947 and while it was their intention to integrate it into the City fabric, it appears to be a brick building but it's really a steel structure. Hence, it is not as old as many of the other brick buildings in downtown Keene which date back to approximately the 1860s.

Mr. Walter stated this is a valuable building. The Kingsbury Company, another important piece of our City fabric purchased it and ran it through the 80s, and they added to the building and were wonderful stewards of the building. The building is in great condition structurally, yet its systems are terribly out of date and come from either two different periods of time. The building systems were either in the original building from 1947 or they were installed in the mid-80s, which is still 38 years ago. Mr. Walter noted to a typographic error in his report, he indicates 1974 it should correctly read as 1947.

Mr. Walter stated there are eight of the nine criteria that are germane to this application. There will be around a million dollars' worth of investment going into the property in both installation of windows, heating and cooling systems and accessibility. The goal is to develop 310 Marlboro Street into a mixed use building from its previous owner occupied use. He noted when he purchased the building six months ago it had a 60% vacancy rate. It is now going to be moved into a much more vital, healthy, and stable building. However, all those uses require updates to codes.

Mr. Walter noted 310 Marlborough Street, LLC has already created one job. He has hired someone to help him with this process of the adaptive reuse of the building and it will undoubtedly create many more jobs for all the companies that are moving into 310 Marlboro Street. 16 leases have been signed in six months, some of those include Jack's Crackers, Saxy Chef is going to be relocating from Antrim, MC2 Charter School, Modestman Brewing, Lumens for Less etc. Some of these companies are outgrowth of Hannah Grimes Center for Entrepreneurship. Hence, what is being created here is an extension program where the graduates of Hannah Grimes will make 310 Marlboro Street a stable, thriving and sustainable community.

Mr. Walter went on to say that they have two art programs they intend to launch this year. The buildings have around 100 openings, 35 of those openings have been blocked over for different reasons. What they intend to do in 2022 is to create a rotating mural program, where a small number of people will curate applications to allow people to submit for paintings on those canvases which are about eight feet by nine feet each which will bring a real liveliness to the outside of the building. There is also a plan to create a seasonal gallery on the second story bridge off of the east side of the building.

Mr. Walter stated their biggest goal is to move this building off fossil fuels and achieve a carbon free

result for this building. Given the low quality of the thermal envelope for the building this is an incredibly ambitious goal. He indicated they have a contract with Revision Energy to install solar. They are also in the process of contracting with Froling Energy and are currently filing an application with DOE for a grant to help fund a biomass boiler system. Mr. Walter noted that item is not part of this proposal, it came along after this proposal was submitted. It was the result of an energy audit recently completed. There is an 8,000 gallon oil tank in a rentable space. It is their intention to remove that tank and replace the oil boilers with biomass and solar. Over a two year timeframe, investments to achieve these energy goals will range from \$900,000 to 1.8 million dollars.

He explained their request for a five year tax period is really threefold. The first is that most of these efforts have anywhere from seven to 11 year payback in the industry. The second is that the applicant is going to reinvest even more into this building. The third is to look at this building as a startup which can accelerate more quickly and reinvest their money into other things which he felt was the spirit of 79-E. This concluded Mr. Walter's presentation.

Councilor Chadbourne felt this was an exciting project and stated she would definitely support it. She indicated it fits in with the vision of Marlboro Street.

Councilor Lake noted he does not see solar panels on page three of the application and asked whether the extent of the tax relief is limited to the number of things that are on page three or whether the solar panels will be included in it. Mr. Langille stated the solar panels are mentioned in the write up and it would be the intention of the City to honor that - ultimately if the City has to enter into a covenant with the applicant, it will explain all the public benefits that are met, and the applicant is held to that covenant to make sure that those things are met.

Chair Powers asked whether the Plate Glass Company and the current home health care property were both part of the Kingsbury property at one point. Mr. Walter stated he wasn't sure he can speak to that as he wasn't sure but recalls that two owners ago, Don Brown owned them both. He added the adjacent building the Home Health Care Services Building is not a metal building which is what was expected from that earlier era but felt they were used together via the bridge.

Councilor Remy made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends granting a period of five years for this application.

Councilor Remy made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Council determine that structure proposed for redevelopment located at 310 Marlborough Street is a qualifying structure as defined by RSA 79E; that the structure is not within a currently defined tax increment financing district; that the structure is not a residential project subject to an election for tax assessment relief under the low income housing tax credit program of RSA 75-1a; that the proposed rehabilitation cost estimates exceed the threshold amount of \$75,000 and constitutes substantial rehabilitation; that at least \$5000 of the total rehabilitation cost is devoted to energy efficiency and according to the US Secretary of the Interior Standards for Rehabilitation; that the proposed rehabilitation is consistent with the City's Master Plan; and that the rehabilitation provides the following public benefits as required by Resolution R-2018-33:

1. Enhances the economic vitality of downtown areas.
2. Promotes efficient design safety and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan.

3. Adds to the City's employment base by creating at least one new full time job and keeps it in the downtown area.
4. Directly supports the integration of public art in the downtown,
5. Promotes development of a sustainable building stock in the downtown that achieves a nationally or internationally recognized green building standard.

Therefore, the committee recommends the ability for real property tax relief on any assessed tax increment resulting from the substantial rehabilitation of the qualifying structure be granted for a period of five years, beginning with a substantial rehabilitation as determined by the City's Community Development Department and conditioned upon the property owner granting to the City at the time of substantial completion, a covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for the period of the tax relief to be recorded at the Cheshire County Registry of Deeds at the expense of the property owner.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.4.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Keene Young Professionals Network - Taste of Keene - Use of Surplus Community Event Funding**

Council Action:

In City Council January 20, 2022.

Voted with 11 in favor and one recusal to carry out the intent of the report.

Recommendation:

On a 3-0 vote, the Finance, Organization and Personnel Committee recommends that unspent funds from the City's FY 22 community event budget be used to help offset the cost of City services for the Keene Young Professionals Network Downtown Summer Food Festival tentatively scheduled for either June 4 or June 5, 2022. Costs over the above available funds will be the responsibility of the Keene Young Professionals Network.

Attachments:

None

Background:

Councilor Remy stated he had a conflict of interest with this item, both as the person who is presenting and as the Events Chair for this organization.

On a 5-0 vote, Councilor Remy was recused from this application.

Councilor Madison stated he serves on the Board for Keene Young Professionals but does not hold a leadership and his role is more in the volunteer capacity. Councilor Lake felt this is more of a gray area and recalled being involved in a project recently where he wasn't in leadership position but was involved in some fashion in the project and had to recuse himself and based on that precedent he would have to lean towards having a conflict. Councilor Chadbourne agreed.

On a 4-0 vote, Councilor Madison was recused from this application.

Councilor Remy began the presentation and stated this will be a great event to hold in June when it is a little warmer to be able to get people out. He stated overall the event went really well last year and he is hoping for the same success again this year. He added that are coordinating with Art Walk this year which is different from last year, when both events happened on the same day by accident. He

indicated they are still in the planning stages of the overall event, but from the City's perspective they are looking for the similar shut down of City property and similar occupancy from restaurants and beverage tents on City property. Last year there was an approval of up to \$17,000 based on what was available from the large number of events that were cancelled due to the pandemic. He indicated they don't expect that level of support will be available again this year, but he was hoping this Committee could consider allocating any unspent event funds to this event to help offset the costs of City services. They are not seeking a direct cash contribution from the City for the event.

Alana Fiero, President of Keene Young Professionals Network thanked the Committee for considering this event which was a success last year and they are looking forward to doing it again.

The City Manager stated the Keene Young Professionals did not keep any of the funds that were raised last year and that was really a large part of the consideration when the Council was considering the community event status; the money went back to all the local restaurants that participated, which was a great help to them. She indicated staff has reviewed the community event budget this year and while there is only one event that is scheduled to be canceled, there is approximately \$6,000 in the budget as surplus. Last year, the cost of City services to hold this event was at approximately \$9,000. The Manager stated there isn't enough to completely offset the cost of City services but there is enough in the budget to offset should the Council approve.

Councilor Lake clarified the amount that would need to be covered beyond what the City has available, whether that was going to be covered by the proceeds from the event or whether the Keene Young Professionals has that amount in their budget. Councilor Remy stated they would hope to have sponsorship coverage from outside the City for those funds.

The Manager stated this is Keene Young Professionals' second year to hold their event. After this year they would be able to apply for community event status and go through the same processes, similar to how other groups that are requesting support from the City.

Councilor Chadbourne thanked the presenters for bringing this item forward and stated she supports this organization. Councilor Lake stated he is also excited to see this event come back and he hoped it would be an annual event. The Manager stated she too has received positive feedback from both the business owners and people who attended the event.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a 3-0 vote, the Finance, Organization and Personnel Committee recommends that unspent funds from the City's FY 22 community event budget be used to help offset the cost of City services for the Keene Young Professionals Network Downtown Summer Food Festival tentatively scheduled for either June 4 or June 5, 2022. Costs over the above available funds will be the responsibility of the Keene Young Professionals Network.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.5.

Meeting Date: January 20, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Radio Reprogramming Grant Reimbursement - Deputy Fire Chief

Council Action:

In City Council January 20, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and spend \$1,400.00 awarded from the Department of Safety under the 2019 Homeland Security Grant for the radio reprogramming grant reimbursement initiative.

Attachments:

None

Background:

Deputy Fire Chief Jeff Chickering was the next speaker. Deputy Chickering stated on January 16 2020, the Keene Fire Department was informed by the Department of Safety that they had successfully completed the survey and submitted the memorandum of understanding signed by the City Manager for the radio reprogramming grant. He indicated the FY 2019 grant provides funds to the Department of Safety to establish and implement the reimbursement program to assist public safety agencies upgrading their radios through standardized interoperable reprogramming for use with the interoperable communication systems. The Keene Fire Department is required to maintain interoperability due to past grants and past equipment provided by the State. This grant will pay for radios to be reprogrammed and it maintains interoperability and ensures that any future updates will be provided.

Deputy Chickering stated the radio reprogramming has been completed as of November 22, 2021 at a cost \$1,400 dollars. The Department is expected to pay the bill to the vendor and then make a request to be reimbursed.

Councilor Lake made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and spend \$1,400.00 awarded from the

Department of Safety under the 2019 Homeland Security Grant for the radio reprogramming grant reimbursement initiative.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.6.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: Agreement for Leased Parking - Library Director

Council Action:

In City Council January 20, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with Millar Realty, LLC for the lease of four parking spaces at 67 Winter Street.

Attachments:

None

Background:

Library Director Marti Fiske addressed the Committee and stated the library has been leasing four parking spaces at 67 Winter Street since October 2012. This property has been sold and the new owner is eager to continue the same agreement. Ms. Fiske stated these spaces are used by library staff who have mobility issues and by staff who are doing outreach such as loading and unloading vehicle, at times for multiple trips.

Employee parking is on Gilbo Street, which is two blocks away. In preparation, Staff did look at the parking history for the library with the Parking Director. There has been about five years with uneven history caused by several years of construction, and two years of a pandemic. There have been only about four months or so that the expanded space was actually starting to get up to normal operations for programs, before the pandemic happened. Hence, the library does not have an accurate history of what the parking needs are with the library in its new expanded size, full programs and full attendance. For that reason, staff does not feel it is a good idea to remove any of the existing parking in this area right now.

Ms. Fiske stated she would like to have the lease continued and then wait until at least 18 months of history of true post pandemic, full services history before making any changes on the existing spaces. Councilor Chadbourne felt what is being proposed is reasonable and certainly would support it.

Councilor Madison made the following motion, which was seconded by Councilor Lake.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with Millar Realty, LLC for the lease of four parking spaces at 67 Winter Street.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.7.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Winchester Street Reconstruction Project - Contract Change Order - City Engineer**

Council Action:

In City Council January 20, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a change order with McFarland Johnson for professional services associated with the Winchester Street Reconstruction Project, for an amount not to exceed \$12,000.00.

Attachments:

None

Background:

City Engineer Don Lussier and Public Works Director Kurt Blomquist were the next two speakers. Mr. Lussier stated this project is the Upper Winchester Street project. This is a contract change order with McFarland Johnson specifically related to their expert witness services. A year ago the City Council voted to authorize the acquisition of certain parcels of land through the eminent domain process. Those procedures started last February and the City has been working through the process. Unfortunately, one of the impacted property owners is challenging the City's taking on the grounds of necessity and net public benefit. That question of whether the project is needed and a benefit to the public has been referred to the Superior Court to decide.

Mr. Lussier stated McFarland Johnson is the design engineer for the project and the City has asked them to assist in providing expert witness at that Court proceedings. When the City developed the contract with them for that work, staff was estimating what level of effort they would be required. The City expected them to review the opposing side's expert witness report, write their own expert witness report to submit to the Court and provide a couple of days of testimony at trial. However, during pre-trial, they ended up writing three different reports in response to various filings. At the present time, it is five days into the trial with two more days scheduled next week. Hence, the scope of their efforts has gone well beyond what the City originally anticipated. As a result, staff is requesting an additional \$12,000 to cover the costs of their services.

Councilor Chadbourne asked where these funds would come from. Mr. Lussier stated the funding would come from the already appropriated project budget. At this point, the only request is to authorize the change order in the contract. The City recently got bids for the construction of that project, the consultant is evaluating those and doing their analysis and it has to be reviewed by DOT. Depending on what all of the final numbers are, the City may end up having to come back to Council to appropriate additional funds for the project. He went on to say this project is federally funded, so it is one of those 80/20 projects. The net cost of the City taxpayer for this change order would be \$2,400.

Councilor Remy made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a change order with McFarland Johnson for professional services associated with the Winchester Street Reconstruction Project, for an amount not to exceed \$12,000.00.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.8.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: Colony Court Sewer Replacement Project - Engineering Change Order - City Engineer

Council Action:

In City Council January 20, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a contract change order with Dubois & King for engineering and technical services on the Colony Court Sewer Replacement Project, for an amount not to exceed \$72,000.

Attachments:

None

Background:

Mr. Lussier stated this next project is for the Colony Court sewer replacement project. Colony Court is one of those large sewer projects in the CIP and falls under the Sewer Improvement Program. It also includes sections of Chase Place, Ellis Court, and all the way to Gilsum Street.

The construction began last summer and the contractor got about 65% of the contract work completed. Unfortunately, they ran into some underground conditions the City was not expecting. Geotechnical borings were part of the design of the project and they were aware soft clay soil will be an issue. This was true on Wright Street and the contractor had methods of dealing with that. Once they got into the off road section (the section which is about 500 feet off the project that runs behind the houses on Colony Court), the character of the underground soil was remarkably different; it was acting as a fluid.

The consultant has evaluated the conditions and has come up with some alternatives as they are not able to install the project as it was designed. The alternatives are going to fall into two categories: either improving ground conditions along the original sewer alignment where the sewer is today, which would most likely entail trench protection or reroute the sewer, most likely along Colony Court itself. This has its own challenges; even if the ground is better, the elevations are higher so the trench would be much deeper which obviously affects project costs. Their work will include doing some

additional geotechnical borings, both on Colony Court and in the area where they have run into trouble. Most likely, the construction costs will go up at least by 10% of the original contract.

Councilor Chadbourne made the following motion, which was seconded by Councilor Remy.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a contract change order with Dubois & King for engineering and technical services on the Colony Court Sewer Replacement Project, for an amount not to exceed \$72,000.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.9.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Lower Winchester Street Reconstruction Project - Project Agreements - City Engineer**

Council Action:

In City Council January 20, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute an inter-municipal Agreement with the Town of Swanzey relative to the Lower Winchester Street Reconstruction Project (NHDOT Project No. 40666).

On a 5-0 vote, the Finance, Organization & Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a three-party Project Agreement with the New Hampshire Department of Transportation and the Town of Swanzey for the Lower Winchester Street Reconstruction Project (NHDOT Project No. 40666).

Attachments:

None

Background:

Mr. Lussier addressed the Lower Winchester Street project next. He indicated the City Council appropriated funds in FY 22 to begin the design work for this project. This project is another 80/20 project, participating with Federal highway money. Design work will begin in short order. Because of the Federal funding, the City has to enter into an agreement with DOT. Mr. Lussier stated with this project there is an issue; the Town of Swanzey and the Southwest Regional Planning Commission approached DOT and proposed the scope of the City's project be extended beyond the municipal boundary to include the first 500 feet into the Town of Swanzey. This is so that the City's work will have a cohesive tie into the improvements that have already been completed in Swanzey. Similarly, the pedestrian and bike facilities the City is going to be constructing on its side would continue into Swanzey most likely up to the Market Basket entrance.

Because the work now crosses town boundaries, there has to be an agreement between the City and the Town of Swanzey, which will define each of our roles and responsibilities; how the costs will be

shared, and how administration and governance of the project will be done. What has been decided in draft terms, is that on the design of the project, Swanzey will pay a fixed portion of the total design costs based on what the estimate the construction values will be relative to each other. The work in Swanzey will be a very small percentage of the work compared to the work planned in Keene, which includes roadway reconstruction, widening of sidewalks, bridge replacement etc. When we get into construction, Swanzey will be expected to pay the 20% share for anything that happens on their side of the line.

The City will be the project administrator and the town is going to appoint a project liaison, so there is a single point of contact with the town. The City has suggested that the town have two representatives on what the staff is anticipating to be a Mayor appointed ad hoc Steering Committee for the project, similar to what was done with the Upper Winchester Street project. The Manager added anything that is built on the Swanzey side of the line, they would be responsible for in terms of maintenance in the future.

Mr. Lussier added because Keene is one of the municipalities that is subject to urban compact requirements, they are responsible for maintaining the State highway in certain sections, which is the case on Route 10 south of Route 101, Route 12 south of Route 101, and Route 12 A.

The Chair clarified the timing for this project is a couple years away. Mr. Lussier stated the construction funds are in the State budget for FY25 and 26.

Councilor Lake made the following motion, which was seconded by Councilor Madison.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute an inter-municipal Agreement with the Town of Swanzey relative to the Lower Winchester Street Reconstruction Project (NHDOT Project No. 40666).

Councilor Lake made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization & Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a three-party Project Agreement with the New Hampshire Department of Transportation and the Town of Swanzey for the Lower Winchester Street Reconstruction Project (NHDOT Project No. 40666).



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.10.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: Wells Street Parking Facility - Design and Technical Services for Repair

Council Action:

In City Council January 20, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that funds appropriated in FY 22 for miscellaneous minor repairs to the Wells Street Parking Structure be designated for design and technical services for a large scope of repair work.

Attachments:

None

Background:

Mr. Lussier addressed the next item as well. The Wells Street parking facility is programmed in FY 22 for a series of minor repairs. Those repair needs were identified in a 2018 structure evaluation. They included a number of different things like painting rusted metal, minor concrete repairs, light fixtures that needed to be replaced etc. Last year staff saw some concrete damage areas that have deteriorated and in some cases the concrete actually fell from the ceiling of the garage onto vehicles below, causing some property damage.

As part of the upcoming CIP, staff is requesting to add some funds in FY 23 to complete a much more comprehensive repair project than was anticipated for FY22. What staff is requesting today is to take the money that the City planned on using for the repair work in FY22 to complete design work expected with the FY 23 money. This would allow the City to get the design started right away and be in a position where the design can be advertised in the spring and be ready to begin construction in July. If not, this work will miss the next construction cycle and Mr. Lussier stated he would not like to delay this work.

Councilor Chadbourne asked about the vehicles that were damaged. Mr. Lussier stated they were the private vehicles that were parked in the garage and there were insurance claims associated with the damage.

Councilor Madison made the following motion, which was seconded by Councilor Remy.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that funds appropriated in FY 22 for miscellaneous minor repairs to the Wells Street Parking Structure be designated for design and technical services for a large scope of repair work.



CITY OF KEENE NEW HAMPSHIRE

ITEM #F.1.

Meeting Date: January 20, 2022
To: Mayor and Keene City Council
From: Merri Howe, Finance Director/Treasurer
Through: Elizabeth Dragon, City Manager
Subject: **Acceptance of Donations - Finance Director**

Council Action:

In City Council January 20, 2022.

Voted unanimously to suspend the Rules of Order to act on the acceptance of donations on first reading. Voted unanimously to accept the donations.

Recommendation:

Move that the City Council accept the list of donations below and the City Manager be authorized to use each donation in the manner specified by the donor.

Attachments:

1. Dept memos for CC 1 20 2022

Background:

The City of Keene receives donations from many sources throughout the year that are brought forward to the City Council for acceptance with gratitude. Below is a listing of recent donations received by the City of Keene.

The Keene Fire Department received the following donations in memory of retired call firefighter Charles "Charlie" Harris:

Deborah Mess	\$ 50
Rebecca Barrett and members of the Bretwood Golf Course Ladies' League	\$ 25
Kenneth and Sandra Johnson	\$ 20
Jean and Brian Barden	\$ 50
Margaret and Louis Roberge	\$100

An additional donation of \$100 was received from Michael Christiansen in thanks for our members' service and professionalism demonstrated recently during an incident.

These donations total \$345.

The Keene Parks and Recreation Department received a donation of a bench from Faith Sargent. In

honor of her father Bruce Filiault, who was an avid horseshoe player at the courts in Wheelock Park, the family purchased a bench to donate to the City through the Adopt-A-Bench Program and asked the bench be located to overlook the courts. The Adopt-A-Bench Program provides the installation of the bench and a plaque for \$1,350.00

FIRE DEPARTMENT

CITY OF KEENE **NEW HAMPSHIRE**

M E M O R A N D U M

DATE: December 16, 2021
TO: Elizabeth Dragon, City Manager
THROUGH: Merri Howe, Finance Director
FROM: Mark Howard, Fire Chief MH
SUBJECT: Acceptance of donations

RECOMMENDATION

The City Council authorizes the City Manager to do all things necessary to accept donations totaling \$345.00.

BACKGROUND

The Keene Fire Department has received five donations in memory of Retired Call Company Member, Charles "Charlie" Harris, from Deborah Mess (\$50.00), Rebecca Barrett and the members of the Bretwood Golf Course Ladies League (\$25.00), Kenneth & Sandra Johnson (\$20.00), Jean & Brian Barden (\$50.00), and Margaret and Louis Roberge (\$100.00).

An additional donation of \$100.00 has been received from Michael Christiansen in thanks for our members service and professionalism demonstrated recently during an incident.

City of Keene
New Hampshire

TO: Elizabeth A. Dragon, City Manager

THROUGH: Merri Howe, Finance Director

FROM: Andy Bohannon, Parks, Recreation & Facilities Director

SUBJECT: Donation



Recommendation:

Move that the City Manager recommend that the City Council accept as informational to accept the donation of a bench from Faith Sargent and that the bench be placed in Wheelock Park near the Horseshoe Courts.

Background:

In honor of her father Bruce Filiault, who was an avid horseshoe player at the courts in Wheelock Park, the family purchased a bench to donate to the City through the Adopt-A-Bench program. The bench location will overlook the courts.

The bench will be installed this spring.

The Adopt-A-Bench Program provides the installation of the bench and a plaque for \$1,350.00.



CITY OF KEENE NEW HAMPSHIRE

ITEM #F.2.

Meeting Date: January 20, 2022
To: Mayor and Keene City Council
From: Patricia Little, City Clerk
Through:
Subject: **Proposed Amendments to the City Council Rules of Order - City Clerk**

Council Action:

In City Council January 20, 2022.

Referred to the Planning, Licenses and Development Committee.

Recommendation:

Refer the proposed amendments regarding the City Council's Rules of Order to the Planning, Licenses and Development Committee for their review and recommendation.

Attachments:

1. RULES_OF_ORDER_red lined

Background:

The attached set of amendments to the Rules of Order, which is being re-introduced to the City Council, encompasses those changes that were originally brought forward by the City Attorney and the City Clerk and considered by the Planning, Licenses and Development Committee in November of 2021. The amendments were identified during discussions with former Mayor Lane and Mayor Hansel as helpful to the City Council operations. Although many of the amendments were housekeeping in nature, there were many important changes being recommended. Much of the focus of the PLD Committee's discussion related to remote access and conflicts of interest.

The PLD Committee forwarded their recommendation for the November 18th City Council meeting, but the issue was tabled until the December 2nd meeting. At the December 2nd meeting there was considerable discussion amongst the Councilors on both remote access and the conflict of interest. Ultimately, the required 2/3 vote on the slate of amendments failed to carry.

Any provision regarding quorum and remote access as well as conflicts of interest are central to a Councilor's effectiveness and should be the subject of further discussion. In the meantime, there are important changes to the Rules of Order that should not be delayed. Included among them are:

- Section 1. Regular Council Meeting - includes a provision for "emergency declarations"
Section 2. Decorum and Order - includes a provision for "electronic communications"

- Section 21. Tie vote - clarifies that a "temporary chairman" cannot break a tie
- Section 22. Special Meetings - eliminates the provision for funds/staff time to be approved by Council
- Section 23. Standing Committees - includes a provision for legislation to be considered by the appropriate Standing Committee and provides for flexibility in the meeting cycles of Standing Committees
- Section 24. Order of Business - includes a provision for acceptance of donations
- Section 25. Communications - includes a provision for digital signatures
- Section 26. Review of Items of Business - includes a provision for the Mayor to refer an item to the appropriate Committee
- Section 33. Resubmission of Items Once Considered - removes a provision that an item of business could be taken up in the same calendar year if the circumstances changed substantially and a likelihood for a differing disposition would result
- Section 36. To Amend Rules - removes a provision that the amendment process could be waived only by unanimous vote of the City Council
- Section 37. Procedure to Fill Vacancy - includes a provision not to fill a vacancy if the vacancy occurs 120 days before an election

The City Attorney and the City Clerk stand ready to assist the Council with drafting language for the City Council's consideration regarding remote access and conflicts of interests, but there are clearly differing positions by the City Council on the remote access language, in particular.

Knowing this, we anticipate that a City Councilor will be requesting that the sections relating to remote access and conflicts of interest be placed on a future agenda and therefore, this set of amendments do not contain any proposed language changes for remote access or conflicts of interest. I respectfully request that these other amendments - important for the effective operation of the City Council - should be considered on their own merits.

PROPOSED AMENDMENTS

RULES OF ORDER OF THE CITY COUNCIL

CITY COUNCIL MEETINGS

SECTION 1. REGULAR CITY COUNCIL MEETING. Regular meetings shall be held on the first and third Thursdays of each month (holidays, and summer City Council vacation excepted). The meetings shall take place in the City Council Chambers, City Hall, unless otherwise authorized by vote of the **City Council**. **Except in the event of an emergency declared by appropriate authority,** ~~the~~ City Council shall meet at least once per month.

SECTION 2. SPECIAL MEETINGS. Special meetings may be called by the Mayor, or at his or her refusal, **incapacity** or absence from the City, by ~~five~~ **seven (5 7)** or more members of the **City Council**, subject to Section 4, "Quorum," of these Rules of Order. The City Clerk shall prepare a notice of the special session stating **the** time, place, and ~~object~~ **subject matter**, and this notice shall either be mailed or ~~sent~~ **delivered** by cell phone text message at least forty-eight (48) hours before the time of the meeting **to the Mayor and to each member of the City Council**, or **in the event of** an emergency as determined by the Mayor **in accordance with applicable law**, the notice shall be served personally upon each member of the **City Council**, or left at their usual place of residence at least two (2) hours before the time of the meeting. It shall also be the duty of the City Clerk, immediately upon receipt of a request to do so, to make diligent efforts to notify each member of the **City Council** by telephone or otherwise of such special session.

OFFICERS

SECTION 5. PRESIDING OFFICER. The Mayor shall take the chair at the hour appointed for the **City Council** to meet, and shall immediately call the members to order. The roll shall then be called by the Clerk, who shall enter in the minutes of the meeting the names of the members present **and absent**. The name of any member entering after roll call shall be entered in the minutes.

SECTION 6. TEMPORARY CHAIRMAN. In case of the absence of the Mayor, the Clerk shall call the **City Council** to order and call the roll of the members. If a quorum is found to be present, the **City Council** shall proceed to elect a Councilor, by a majority vote of those present, as **Temporary Chairman** of the meeting to act until the Mayor appears. ~~The Temporary Chairman shall have the obligation to vote in accordance with Section 15, "Voting and Conflict of Interest," of these Rules of Order.~~

SECTION 7. CITY CLERK. The City Clerk shall be the Clerk of the **City Council** and shall perform such other duties as the Mayor and a majority of the **City Council** may prescribe.

SECTION 8. CITY ATTORNEY. The City Attorney shall attend all meetings of the **City** Council unless excused by the **City** Council or Mayor. Any member of the **City** Council or the Mayor may at any time call upon the City Attorney for an opinion as to law, ordinances, or parliamentary procedure, but the final decision as to any matter of parliamentary procedure shall be the responsibility of the ~~presiding officer~~ **Mayor or Temporary Chairman**, subject to the provisions of Section 13, "Right of Appeal," of these Rules of Order.

SECTION 10. DECORUM AND ORDER. The ~~presiding officer~~ **Mayor or Temporary Chairman** shall preserve decorum and if a member transgresses the ~~Rules of the City Council, the presiding officer~~ **the Mayor or Temporary Chairman** shall, or any member may, call him or her to order, in which case he or she shall be seated, subject to the member's right to appeal under Section ~~12-13~~, "Right of Appeal," of these Rules of Order. Appropriate dress during regular meetings of the City Council shall consist of professional business attire. Cell phones are to be silenced while the City Council is in session. The Mayor and **City** Council members are expected to devote their attention to the business of the City Council, and to refrain from the use of electronic devices during City Council meetings not germane to the business before the **City** Council. **Any electronic communication by and among members of the City Council during any City Council or Committee meeting which is not capable of being heard or observed by members of the public or other Councilors is prohibited.**

DUTIES AND PRIVILEGES OF MEMBERS

SECTION 11. RIGHT OF FLOOR. When recognized by the Chair, a member shall rise in his or her place, respectfully address the ~~presiding officer~~ **Mayor or Temporary Chairman**, shall confine himself or herself to the question under debate, avoid ~~personalities~~ **personal attacks**, and refrain from impugning the motives of any other member's or participant's argument, stated position or vote. No member of the **City** Council may speak for or against a petition at a public hearing thereon, but he or she may ask questions concerning the petition or answer questions if he or she has special knowledge concerning the petition.

SECTION 12. EXCUSAL DURING MEETING. No member may leave the Council Chamber after the call for a vote without **first obtaining** permission from the ~~presiding officer~~ **Mayor or Temporary Chairman**. There shall be, at a convenient point to be selected by the Mayor or ~~presiding officer~~ **Temporary Chairman** ~~in the absence of the Mayor~~, a recess of approximately (5) minutes, after the **City** Council has been in session for two (2) hours, ~~including hearings~~.

SECTION 13. RIGHT OF APPEAL. Any member may appeal to the **City** Council a ruling of the ~~presiding officer~~ **Mayor or Temporary Chairman**. If the appeal is seconded, the member making the appeal may briefly state his or her reason for the same, and the ~~presiding officer~~ **Mayor or Temporary Chairman** may briefly explain his or her ruling; but there shall be no debate on the appeal and no other member shall participate in the discussion. The ~~presiding officer~~ **Mayor or Temporary Chairman** shall then put the question **to the City Council**: "Shall the decision of the Chair be sustained?" If a majority of the members present vote in the negative, the ruling of the **Mayor or Temporary Chairman** ~~Chair~~ is overruled; otherwise, it is sustained. Such a vote shall be by roll call. The ~~Chair~~ **Mayor or Temporary Chairman** shall not have a vote.

SECTION 14. LIMITATION OF DEBATE. No member shall be allowed to speak more than once upon any ~~one question~~ **item of business before the City Council** until every other member choosing to speak thereon shall have spoken, and no member shall speak more than three times on any ~~one question~~ **item of business**, nor for a longer time than ten (10) minutes in all, without leave of the ~~Council~~ **Mayor or Temporary Chairman**.

SECTION 17. MOTIONS. A long or complex motion shall be reduced to writing if the **Mayor or Temporary Chairman** ~~Chair~~ so directs; or if any member of the **City Council** requests it. When a main motion is under debate, the **Mayor or Temporary Chairman** may receive the following subsidiary motions, which have their proper position in the order, taking precedence over the motions that rank below it and yielding to motions that rank above it.

Lay on the table	2nd required	Simple majority	Not debatable	Not amendable
Previous question	2nd required	2/3 majority	Not debatable	Not amendable
Limit or extend debate	2nd required	2/3 majority	Not debatable	Amendable
Postpone definitely	2nd required	Simple majority	Debatable	Amendable
Refer	2nd required	Simple majority	Debatable	Amendable
Amend	2nd required	Simple majority	Debatable	Not amendable
Postpone indefinitely	2nd required	Simple majority	Debatable	Not amendable
Main motion	2nd required	Simple majority	Debatable	Amendable

In addition to subsidiary motions, the **Mayor or Temporary Chairman** may receive the following incidental ~~and restoratory~~ motions, which have no rank:

Recess	2nd required	Simple majority	Not debatable	Not amendable
Division of the question	2nd required	Simple majority	Not debatable	Amendable

Suspend Rules of Order	2nd required	2/3 majority	Not debatable	Not amendable
Take from the table	2nd required	Simple majority	Not debatable	Not amendable
Reconsider	2nd required	Simple majority	Debatable	Not amendable
Appeal from a decision of the Chair	2nd required	Simple majority	Debatable only between Mayor and the member making the appeal	Not amendable
Call from Committee	2nd required	Simple majority	Debatable	Not amendable
Point of Order	None	Ruling by the Chair	Not debatable	Not amendable

SECTION 18. PERMISSION REQUIRED TO ADDRESS CITY COUNCIL. Persons other than the Mayor, members of the **City** Council, or the City Manager, **City Clerk and City Attorney**, shall not be permitted to address the **City** Council except upon introduction by, and permission of the Mayor and only after the person's name and address has been clearly stated.

SECTION 19. ADJOURNMENT. Adjournment shall be in order at any time, except as follows:

1. ~~When repeated without intervening business or discussion~~
2. When made as an interruption of a member while speaking
3. When the previous question has been ~~ordered~~ **moved**
4. While a vote is being taken.

A motion to fix the time to which to adjourn is debatable only as to the time to which the meeting is adjourned.

SECTION 20. RECONSIDERATION. After the decision of any question, any member who voted with the prevailing side may move for reconsideration ~~for~~ **of** that action at the next regular meeting of the **City** Council. For the purposes of this **Rule**, the next regular meeting of the **City** Council shall be the next regularly scheduled meeting of the City Council which is at least ten (10) days after the meeting of the **City** Council at which the decision to be reconsidered occurred. The Councilor shall submit a written notice **to the City Clerk** and the question shall be

placed on the agenda in accordance with these ~~Rules~~. A motion to reconsider shall require a majority vote of the Councilors present.

After a motion for reconsideration has ~~once been~~ acted on, no other motion for a reconsideration **of the question** shall be made. If the original vote is sustained ~~at the next regular meeting as defined herein~~, the **City** Council shall have no further right of reconsideration on the question.

SECTION 21. TIE VOTE. In case of a tie vote on any ~~proposal~~ **question**, the ~~presiding officer~~ **Mayor** shall cast his or her vote to dissolve the tie vote. **In the absence of the Mayor, a tie vote on any question, which includes the vote of a Temporary Chairman shall be deemed to be a nay vote of the question.**

SECTION 22. SPECIAL COMMITTEES. All Special Committees of the **City** Council such as the **City** Council may establish, **other than Standing Committees under section 23**, shall be appointed and announced by the Mayor. **The vote on each member appointed by the Mayor to such Committees shall be by roll call.** ~~The appointment by the Mayor shall also include an indication of any funds or staff time to be utilized by such Special Committees and, if any, such funds and staff time to be approved by the City Council.~~ Special Committees shall continue to exist until their charge has been completed or one year from the date of establishment, whichever comes first.

SECTION 23. STANDING COMMITTEES. ~~On or about January 1st, At the commencement of each municipal year,~~ the following Standing Committees of the **City** Council shall be appointed by the Mayor. All Standing Committees of the **City** Council shall consist of five (5) members. No member shall serve on more than one Standing Committee of the **City** Council at the same time. The first member named on each Committee to be Chairman; the second member named on each Committee to be Vice-Chairman. Items **of business** referred to Committee ~~shall may~~ be in accordance with ~~the their~~ areas of concern as set forth below, **including any proposed legislation appropriate to the business of the Committee; provided, however, that any item of business coming before the City Council may be referred to other committees as may be necessary for efficiency or to accommodate time constraints:**

Finance, Organization, and Personnel Committee

Assessment, budget, cable franchise, claims, purchase and sale of real property and its disposition, elections, finances, information technology, insurance, leases and lease management, organization, personnel, purchasing, and taxes.

Municipal Services, Facilities and Infrastructure Committee

Cemeteries, intermodal transportation facilities, infrastructure management and planning, fire, public health, human services, library, parks, police, recreation, public safety, trail system, traffic control, and youth services.

Planning, Licenses and Development Committee

Airport, Airport leases, Airport land use planning, broadband, college/city relations, enforcement of codes, easements, economic development, floodplain, development, housing, intergovernmental relations, land use, permits, ~~legislative review~~, licensing, management of open space, conservation, planning, Rules of Order, wetlands, and zoning.

A Councilor who is not a member of the Committee may ask questions and participate in the **public** discussion, but may not participate in the **Committee** deliberations after a motion and 2nd has been made concerning an item on a Committee agenda, unless the Councilor is the petitioner on the item before the Committee. If the Committee votes to remove a matter from more time, it shall be placed on the agenda for the next scheduled Committee meeting and prior notice shall be provided to all interested parties. If the Committee votes to go into non-public session, **or if an adjournment permitted by law is necessary**, only the members of the Committee, and required City Staff, shall attend the session. Non-public sessions **and adjournments** by a Committee are discouraged, and shall only occur in extraordinary circumstances.

Except for a special meeting of the Committee called by the Mayor or by the Committee Chair, All Standing Committees, except Finance, Organization and Personnel, shall normally meet on ~~the~~ **an alternating** Wednesday following a regularly scheduled **City** Council meetings. The Finance, Organization and Personnel Committee shall normally meet on the first and third Thursday following the regularly scheduled **City** Council meeting. Items to be submitted for the agenda packet must be filed with the City Clerk by 1:00 PM on the Tuesday before the Committees hold their regular meetings. A majority of each Committee shall constitute a quorum. The City Manager and those department heads requested by the City Manager shall normally attend the regularly scheduled Standing Committee meetings. The City Manager may designate a department head or other suitable person to represent him or her unless he or she is requested by the Committee to attend a particular meeting, but the Committee Chairmen will ~~make arrangements~~ **confer as necessary** to avoid conflicting demands on the City Manager's time.

SECTION 24. ORDER OF BUSINESS. The business of all regular meetings of the **City** Council shall be transacted in the following order, unless directed by the Mayor or presiding officer.

1. Call to order
2. Roll call of attendance
3. Pledge of allegiance
4. Acceptance of minutes of the preceding meeting
5. Public Hearings, proclamations and presentations
6. Nominations/confirmations/appointments
7. Communications
8. Reports of Committees/Boards/Staff

9. City Manager Comments

10. Acceptance of Donations

110. Legislation (Ordinances/Resolutions)

121. Non-Public Session

132. Adjournment

SECTION 25. COMMUNICATIONS. Communications to be introduced to the City Council must be **addressed to the Mayor and City Council through the office of the City Clerk, be signed by the person(s) introducing the same submitting the communication, and must give his or her and contain a residential address or mailing address, if different, and an email address.** at which he or she can be reached to be notified of committee meetings, etc. Communications containing a scanned image of the person's actual signature, **or a digital signature created in accordance with applicable law or City Ordinance,** may be submitted electronically. Communications not containing all of the above will not be accepted by the City Clerk. ~~and will not be placed on the agenda of the City Council.~~ Communications addressed to a Councilor of a personal, **defamatory,** or argumentative nature, shall not be introduced in Council **accepted by the City Clerk.**

SECTION 26. REVIEW OF ITEMS OF BUSINESS. Every Ordinance, Resolution, Committee Report, and any other document to come before the **City** Council for consideration must be filed with the City Clerk by 4:00 PM on the Tuesday before the Thursday on which the **City** Council holds its regular meeting.

As soon as practicable after receipt of items of business by the City Clerk, the City Clerk shall review the items of business with the Mayor and City Manager. Items of business determined by the Mayor ~~or~~ **and City Manager** to be routine City business, or easily resolved **within the purview of** ~~by the City staff Manager,~~ or of a nature that investigation by the City would be **appropriate** ~~desirable in order to better determine how to proceed with that item of business,~~ or of a nature that the matter **should** be dealt with confidentially ~~under applicable law~~ shall be referred, as appropriate, to the City ~~officer, department~~ **Manager, the City Council, Council Committee, or other appropriate governmental** agency for disposition. In such cases, the sponsor of the item of business shall be given written notification of the referral of the matter and such other pertinent information as the Mayor ~~or~~ **and City Manager** shall determine to be appropriate. The **City** Council shall be provided with a summary of these items of business **not placed on the Council agenda** and their disposition **of the items.** The City Manager shall take reasonable measures to insure that these referrals are ~~followed up~~ **dealt with appropriately.** **Except as otherwise provided by these Rules,** items of business not resolved to the satisfaction of their sponsor, ~~shall~~ **may** be placed upon the Council agenda by the Mayor, any member, or the City Manager.

All items ~~appearing to be placed~~ on the **City** Council agenda for the first time shall be referred by the Mayor **as appropriate** to a Committee or Committees ~~in accordance with its or their~~

areas of concern as set forth in Section 22, "Standing Committees", hereof for its or their consideration and report **by the Committee** for ~~at~~ the next meeting of the **City Council**, unless more time is requested by the ~~Council~~ **Committee**. Any item appearing on the **City Council** agenda for the first time shall not be debated, and shall have no final action without suspension of the rules. Once more time has been granted on a matter, it shall remain on more time until placed on the ~~e~~**Committee** agenda for action or a motion to call it out of ~~e~~**Committee** passes. Notwithstanding any other provisions of these ~~r~~**Rules**, Resolutions of a congratulatory, aspirational or ceremonial nature and items referred directly to a ~~e~~**Committee** under this Section and then reported out may be debated and acted upon when they first appear on the **City Council** agenda without suspension of the rules.

SECTION 27. READINGS OF ORDINANCES AND RESOLUTIONS. Resolutions calling for the appropriation of unbudgeted funds, and all Ordinances, shall be read twice. The first and second readings to be by title only. ~~On the announcement of a second reading, the question shall be voted on by a roll call vote.~~ Such documents are to be posted on the public bulletin board in the City Hall entry way for one (1) week following each reading in **City Council**. No item which has been the subject of a public hearing may be considered by **City Council** on the same day as the hearing.

SECTION 29. VOTES ON ORDINANCES OR RESOLUTIONS. On passage of a Resolution calling for ~~the any~~ appropriation of funds, or on the passage of any Ordinance, the vote shall be taken by roll call, majority vote, and entered in full upon the record. A Resolution calling for the appropriation of funds through the issuance of a Bond, **or a Resolution calling for the repurposing of an issued Bond**, shall require a 2/3 roll call vote of all **elected** members. Every member shall be required to vote unless excused for conflict of interest by vote of the **City Council**. The vote shall be for or against a pending Ordinance or Resolution and not on the report of the committee thereon.

SECTION 30. ANNUAL APPROPRIATION. If a Councilor wishes to make an amendment to the proposed capital improvement budget or the annual operating budget during the **respective** budget adoption process, the Councilor shall submit the text of the proposed amendment, including the line item(s) to be amended, to the City Clerk for inclusion on the **City Council** agenda no later than 4:00 p.m. on the Tuesday prior to the **City Council** meeting scheduled for the adoption of the capital improvement budget or the annual budget. After the annual appropriation has been ~~passed~~ **adopted**, subsequent **unbudgeted** expenditures shall not be authorized for any purpose without special appropriation therefore by affirmative vote of a majority of City Council. ~~In such case said~~ **If subsequent the unbudgeted expenditure** creates a City debt, the affirmative vote of two-thirds of City Council shall be required. All such votes shall be taken by roll call.

SECTION 31. APPROPRIATION OF UNBUDGETED FUNDS. After adoption of the **annual** budget, Resolutions calling for the appropriation of **unbudgeted** funds shall not be accepted by the City Clerk, unless accompanied by an explanation of the purpose of the appropriation and the fund(s) to which it is to be charged. ~~A Resolution calling for the repurposing of previously appropriated Bond funds shall require a 2/3 roll call of all members.~~

SECTION 32. REPORT BY COMMITTEE. All matters referred to a **eCommittee** must be reported out of that **eCommittee** at the next regular meeting of the **City** Council except a matter which is the subject of a pending public hearing or unless otherwise ordered by a majority of the Council Committee members present. Written testimony ~~with regard to~~ **submitted after** a public hearing **held before the City Council** shall be accepted by the City Clerk up until 1:00 p.m. on the Tuesday immediately preceding the **eCommittee** meeting. Written testimony with regard to any other business before the **eCommittee** shall be accepted by the City Clerk up until 4:00 p.m. on the Tuesday immediately following the **eCommittee** meeting ~~in order to be included in~~ **on** the agenda of the City Council meeting. A matter which is the subject of a public hearing must be reported out of a **eCommittee** at the next regular meeting after the hearing unless otherwise ordered **retained** by a majority of the Council Committee members present. If not reported **out** as **provided** above, or if immediate action is required, a motion by the City Council to call the matter out of **eCommittee** will then be in order. Passage of that motion will place the matter before the **City** Council for consideration. When the Chair of the Committee or the designee offers a motion to carry out the intent of the Committee report, a brief explanation of the **eCommittee's** recommendation shall be ~~verbally shared with the Council~~ **stated**. Moving to carry out the intent of the **eCommittee** report does not restrict the ~~maker~~ **proponent** of the motion from speaking against the recommendation of the Committee.

SECTION 33. RESUBMISSION OF ITEMS ONCE CONSIDERED. Once a final vote has been taken by the **City** Council regarding the disposition of an item of business submitted to it, **or on any question properly before it**, except for a reconsideration vote under these ~~Rules~~ or the City Charter, the identical subject matter to that ~~in the item of business~~ **or question so decided** shall not be taken up again by the **City** Council ~~as an item of business~~ during that calendar year, ~~unless the circumstances pertinent to the item of business have changed substantially and a likelihood exists that a different disposition from that previously determined by the Council will result.~~ During the course of review of items of business submitted to the City Clerk for presentation to the City Council, the Mayor shall, with the assistance of the City Manager, determine whether any of the items have previously been disposed of by the Council as set forth in this section and whether or not changed circumstances are present. In the event that the Mayor determines that an item of business has been previously disposed of by the City and circumstances are substantially unchanged, he or she shall refer the matter to the City Clerk for filing. The Council shall be so notified as in the case of other referrals under Section 26, "Review of Items of Business," of these Rules. Unless the Council shall cause additional action to be taken regarding the items of business so referred, the City Clerk shall notify the sponsor of the item of its disposition.

SECTION 34. NON-PUBLIC SESSION. As provided for in RSA 91-A:3, the vote on any motion to enter non-public session shall be by roll call, and shall require the affirmative vote of the majority of members present. All persons present, except the Mayor, City Council, the City Manager, City Attorney and City Clerk, ~~unless any are excused~~, shall leave the meeting, unless specifically requested to remain. A motion to seal the minutes of a non-public session shall be by roll call vote and shall require a two-thirds majority vote in favor.

SECTION 35. SUSPENSION OF THE RULES. Any provision of these ~~Rules~~ not governed by the Charter, Statute, or Ordinance, may be temporarily suspended at any meeting of the **City Council**, by a two-thirds vote of all members present. The vote on any such suspension shall be taken by roll call and entered upon the records.

SECTION 36. TO AMEND RULES. These ~~Rules~~ **of Order** may be amended or new ~~Rules~~ adopted by a two-thirds vote of all members elected. Any such alterations or amendments shall be submitted in writing at the preceding regular meeting **of the City Council** and shall be referred to the ~~Planning Licenses and Development Committee~~ **Finance, Organization and Personnel Committee**. ~~This requirement shall be waived only by unanimous consent, with a recorded vote of all members elected.~~ Changes **to the Rules** shall become effective upon passage **adoption**.

SECTION 37. PROCEDURE TO FILL VACANCY. In the event that a vacancy occurs in the City Council or Office of the Mayor from any cause, the following procedure shall be followed to fill the vacancy.

- A. When a vacancy occurs, the Mayor or ~~Temporary~~ **Chairman** (in the case of a vacancy in the office of the Mayor), in accordance with Sections 8, "Vacancies," and 19, "Mayor," of the City Charter, shall declare the office vacant at the City Council meeting immediately following the discovery of the vacancy. **The following procedure will be followed to fill the declared vacancy; provided, however, that if the vacancy is declared to exist within One Hundred and Twenty (120) days of the next regularly scheduled City election for the City Council, the vacancy will be filled through that election process, and in accordance with the requirements of Section 8 of the City Charter.**
- B. When a vacancy is declared to exist, the Mayor or ~~Temporary~~ **Chairman** (in the case of a vacancy in the office of the Mayor) shall set a filing period no earlier than eight (8) days after the declaration. The Mayor shall cause publication notice of the vacancy in a newspaper of general circulation in the City and establish a fourteen (14) day period exclusive of the date of publication within which time candidates may file notice of their intent to seek election to the vacant office. The filing period shall end at the close of business of the City Clerk's office on the fourteenth day.
- C. The City Council shall choose a qualified person at the next regular meeting of the City Council after the close of the filing period, at which time an election shall be held.

The following procedure shall be followed on the date of the election:

- 1. The Mayor, or ~~Temporary~~ **Chairman** in the case of a vacancy in the office of the Mayor (see Section 6, "Temporary Chairman," of the Rules of Order), shall declare the field of candidates for the vacancy.
- 2. Each candidate will be given five (5) minutes to address the City Council relative to his or her candidacy. No questions will be asked of the candidates by the City Council and immediately upon completion of the last candidate's presentation, the City Council will proceed with the process of filling the vacancy.

3. In the event that there are more than two candidates, there shall be a primary vote of the City Council to narrow the field of candidates to two (2). The two candidates receiving the highest number of votes following an initial vote will be declared the finalists for election.
4. The final vote will be conducted and the candidate receiving the votes of a majority of the elected City Council, will be declared the winner.
5. Voting shall be by roll call vote, each City Councilor stating the name of his or her choice. In the event that a City Councilor does not wish to vote for any candidate, he or she shall vote "No". In the event that no candidate for the vacancy receives a majority vote of the elected City Council then the Mayor or ~~Temporary~~ **Chairman may call for a second round of voting. In the event that no candidate receives a majority vote after the second round of voting, the Mayor or Temporary Chairman** shall establish an additional fourteen (14) day period within which candidates may file notice of their intent to seek election to the vacant office, and an election shall be held as provided above, including publication notice.
6. Following the successful result of an election, the prevailing candidate shall take the oath of office **and be immediately seated.**

SECTION 38. RULES OF ORDER. "Robert's Rules of Order," as amended, shall govern points of order not covered herein.

SECTION 39. COUNCIL POLICIES. Policies to be introduced to the City Council governing the operations of the City Council shall be in the form of a Resolution and, upon its adoption, ~~they~~ shall be indexed and appended to the Rules of Order for ease of reference. A **City** Council policy shall remain effective until ~~superceded~~ **superseded** by a vote of the City Council. When an issue comes before the City Council, which it believes has merit, but which is inconsistent with an adopted policy, the City Council shall first consider an amendment to the policy before considering the issue at hand. The City Council may, from time to time on its own initiative, or when so requested by City Staff, review adopted policies and determine whether to keep the policy, to revise the policy, or to rescind the policy.



CITY OF KEENE NEW HAMPSHIRE

ITEM #G.1.

Meeting Date: January 20, 2022
To: Mayor and Keene City Council
From: Mari Brunner, Planner
Through: John Rogers, Building/Health Official
Subject: **Resignation of Suzanne Butcher from the Energy and Climate Committee**

Council Action:

In City Council January 20, 2022.

Voted unanimously to accept the resignation with regret and appreciation for service.

Recommendation:

To accept the resignation of Suzanne Butcher from the Energy and Climate Committee

Attachments:

1. Suzanne Butcher Resignation

Background:

Suzanne Butcher has served as a regular member of the Energy and Climate Committee since March 2021. She has submitted her resignation from the committee, effective immediately (see attachment).

From: [Suzanne Butcher](#)
To: [Peter Hansel](#); [Mari Brunner](#)
Subject: Resignation from ECC
Date: Sunday, December 26, 2021 11:54:46 AM

Peter and Mari,

As you are looking for candidates for ECC membership, I hope you will find many excellent prospects. It turns out that I will be spending a lot of time in Virginia and will not be able to be a reliable member of the ECC. Please accept my resignation from the committee.

I very much appreciate your leadership and applaud the committee's efforts to move Keene into a clean energy future.

Suzanne



CITY OF KEENE NEW HAMPSHIRE

ITEM #H.1.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

Subject: **Keene Young Professionals Network – Keene Food Festival - Request to Use City Property**

Council Action:

In City Council January 20, 2022.

More time granted.

Recommendation:

By a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the request for the Keene Young Professionals Network to use City property be placed on more time to allow protocol meetings to occur.

Attachments:

None

Background:

Chair Bosley asked to hear from Councilor Remy.

Councilor Michael Remy stated that he understands that this item will be placed on more time because protocol meetings have not happened yet and that is required before they go through the approval process. He continued that the Keene Young Professionals Network (KYPN) is looking to do an event largely similar to last year's, and will probably make some tweaks and improvements based on what they learned. For example, there were issues of sun , and discussions about how to correct that, clarity about the tokens, etc. They are largely looking to repeat a successful event. It went well and ended up being far less expensive than KYPN had anticipated, from the City services side. That was good to know, even though the City was nice enough to donate the services last year.

Councilor Remy continued that they are in the planning stages right now and welcome any volunteers and sponsors. If anyone is interested, he encourages them to reach out to keeneypn@gmail.com.

Chair Bosley thanked Councilor Remy for bringing this event back. She continued that last year it was very well attended, and a big help to getting downtown back up on its feet. She asked if there were any questions from the Committee.

Councilor Jones stated that he congratulates the KYPN for doing this. He continued that this was a concept that came out of the Keene Rebound Committee that he and Councilor Remy were both on, and the KYPN took it and made it work like magic, which he thanks them for. He looks forward to this event. Councilor Remy replied yes, many people were involved.

Chair Bosley asked if members of the public had any questions. Hearing none, she asked for a motion.

Councilor Jones made the following motion, which was seconded by Councilor Ormerod.

By a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the request for the Keene Young Professionals Network to use City property be placed on more time to allow protocol meetings to occur.



CITY OF KEENE NEW HAMPSHIRE

ITEM #1.1.

Meeting Date: January 20, 2022
To: Mayor and Keene City Council
From: James Phippard
Through: Patricia Little, City Clerk
Subject: **Zone Change - 19 Whitcomb's Mill Road - Rural to Low Density-1 Ordinance O-2022-02**

Council Action:

In City Council January 20, 2022.

Referred to the Joint Planning Board and Planning, Licenses and Development Committee.

Recommendation:

Attachments:

1. Application to Amend Zoning Map
2. Ordinance O-2022-02_Zone Change_Referral

Background:

James Phippard is representing the Sandra R. Henry Trust in requesting a change in the zoning map for a 12.2 acre site located on the west side of Whitcomb's Mill Road. The purpose of the proposal is to create an opportunity for low density residential housing in the Low Density-1 zone.



APPLICATION TO AMEND THE ZONING MAP

Petitioner James P Phippard, Agent Sandra R Henry Trust Date January 11, 2022

Address 185 Winchester Street Keene NH 03431, _____

Telephone (603) 357-0116 Property Owner Sandra R Henry Trust

Location of Property to be Rezoned 19 Whitcombs Mill Rd

Approximate Acreage 12.2 Present Zoning District R Proposed Zoning District LD-1

Validation of parcel ID# by
the Assessing Department

Assessing Department Staff

James P. Phippard AGENT
Petitioner's Signature

Submittal Requirements, which must be complete at the time of submission to the City Clerk.

- A properly drafted Ordinance containing the full description of the property to be rezoned and the proposed amendment along with a typed or neatly printed narrative explaining the purpose of, effect of, and justification for the proposed change(s).
- A notarized list of property owners/agents within the boundary of the area or areas proposed for rezoning as well as the names of all abutters of the property. This list shall include the tax map number and address of each abutter and owner, and must be current with the Assessing Department's records within ten days of submittal. The list shall also include the name of any agent who should receive notice. Two sets of mailing labels shall be provided.
- Three maps showing the boundary of the area or areas to be changed, one at 8 1/2" x 11" and two at City tax map scale (24" x 36").
- \$100.00 application fee plus an additional \$10.00 per acre or lot for a total sum not to exceed \$500.00 as well as the publication and postage fees identified below. Check made payable to City of Keene.

Ordinance Number 0-2022-02 Date Received by City Clerk 1/12/2022

Application Fee @ \$100.00	\$ <u>100.00</u>
Area Fee @ \$10.00 per acre	\$ <u>130.00</u>
Publication of Notice in <u>The Keene Sentinel</u> @ \$90.00	\$ <u>90.00</u>
Postage Fees for property owners/ agents and abutters. Total # of notices <u>12</u> @ <u>.56</u> , <u>58¢</u>	\$ <u>6.96</u>

The petitioner is also responsible for the publication costs for the public workshop before the joint Planning Board and Planning, Licenses and Development Committee. Additional costs will be collected by the Planning Department for the mailing costs associated with the public workshop as well as the publication of the public workshop notice.

K://Council/Forms/Application_Amend_Zoning_Map.doc



**Proposal to Amend the Keene Zoning Map
To Rezone TMP 237-018-000
From Rural to Low Density-1**

January 12, 2021

This proposal will amend the Keene Zoning Map to change the zone on TMP 237-018-000 from Rural to Low Density-1. This property is owned by the Sandra R. Henry Trust and is a 12.2 acre site located on the west side of Whitcomb's Mill Road. It has 762 feet frontage on Whitcomb's Mill Road and has access to city sewer via an easement to the existing city sewer across Whitcomb's Mill Road on the Langdon Place of Keene property. City water is not feasible at this location due to the lack of pressure and water capacity in the existing water system at this portion of the City.

This property abuts the Cheshire Rail Trail along its south side providing ample opportunities for walking/running, biking and hiking from this site. An active farm (pig farm) abuts the property to the west. Single family residential properties abut the property to the north, and to the east, across Whitcomb's Mill Road is Langdon Place of Keene, a senior living facility.

Purpose: The purpose of this proposal is to create an opportunity for low intensity residential housing in a portion of the city which has access to city sewer but does not have access to city water. This is the intent of the Low Density-1 district.

Effect: The change in the zoning designation would result in several changes to the permitted uses at the property. The Table below compares the list of permitted uses under the existing Rural district to the uses permitted in the proposed LD-1 district. Many of the uses permitted in the Rural district are not permitted in the LD-1 district. The only new use allowed in LD-1 that is not permitted in the Rural district is two family dwellings which are part of a Conservation Residential Development (CRD).

COMPARISON OF PERMITTED USES

RURAL DISTRICT		LOW DENSITY – 1 DISTRICT	
Dwelling, Manufactured Housing	P		
Dwelling, Single Family	P	Dwelling, Single Family	P
		Dwelling, Two Family	P in CRD
Manufactured Housing Park	P		
Animal Care Facility	P		
Bed and Breakfast	SE	Bed and Breakfast	SE
Greenhouse/Nursery	P		
Kennel	P		
Group Home, Small	CUP	Group Home, Small	CUP
Cemetery	P		
Community Garden	P	Community Garden	P
Conservation Area	P	Conservation Area	P
Farming	P		
Golf Course	P1		
Gravel Pit	SE		
Solar Energy System (Small scale)	P1		
Solar Energy System (Medium scale)	CUP		
Solar Energy System (Large Scale)	CUP		
Telecommunications Facilities	P1	Telecommunications Facilities	P1

P = Permitted Use

SE = Special Exception required

CUP = Conditional Use Permit required.

P1 = Permitted with limitations per Article 8

P in CRD = Permitted as part of a Conservation Residential Development

This amendment to the Zoning Map would change the permitted density from 1 dwelling unit per 5 acres to 1 dwelling unit per 1 acre. The maximum number of dwelling units on this property would increase from 2 units to 12 units, provided the city sewer is extended to the site. While this is not a significant increase in housing, it will help to address the need for additional housing in Keene.

The proposed site is located on the west side of Whitcomb's Mill Road. Whitcomb's Mill Road can be accessed via Rt. 9 or from Arch Street. There is an existing one-lane bridge on Whitcomb's Mill Road where it crosses White Brook. There are no sidewalks on Whitcomb's Mill Road, however, there is direct access to the Cheshire Rail Trail.

The ITE Trip Generation Manual estimates traffic associated with 12 additional single family dwelling units to be up to 114 vehicle trips per day with 9 trips during the AM peak hour and 12 trips during the PM peak hour. This small volume of traffic will not have a significant impact on the safety or capacity of Whitcomb's Mill Road or the street network adjacent to the site.

The sewer discharge from 12 single family dwellings will be approximately 2800 gallons per day. An extension of an 8" sewer main to this property will provide adequate sewer capacity for a full buildout of the property.

Justification: The 2010 Master Plan for the City of Keene identifies housing as a critical component to support the economic vitality of the community. On page 48 of the Master Plan, it states: *“Quality housing is vital to achieving a sustainable community because it:*

- *Attracts and retains a skilled and educated workforce*
- *Denotes strong and safe neighborhoods*
- *Contributes to the region’s overall quality of life*
- *Contributes to the community’s tax base*
- *Reduces the community’s contribution to global climate change and uses resources efficiently”*

The location of this property next to the Cheshire Rail Trail promotes walking/running, hiking and biking and provides a safe pedestrian connection not only to downtown Keene, but to other neighborhoods in the West Keene area. Connectivity is recognized in the Master Plan to promote community and quality of life.

The Future Land Use Map recommends this area, in part, as a Low density residential area. The proposed re-zoning to Low Density-1 is consistent with this recommendation.

The proposed re-zoning to Low Density-1 is consistent with the recommendations of the Keene Master Plan. It will encourage new housing on the city sewer system. The location on Whitcomb’s Mill Road will safely accommodate the additional traffic that may be generated. The direct access to the Cheshire Rail Trail system will encourage walking/running, hiking and biking and provide connectivity to the existing community.

Respectfully Submitted,

James P. Phippard, agent for
Sandra R. Henry Trust



January 12, 2022

Keene, NH

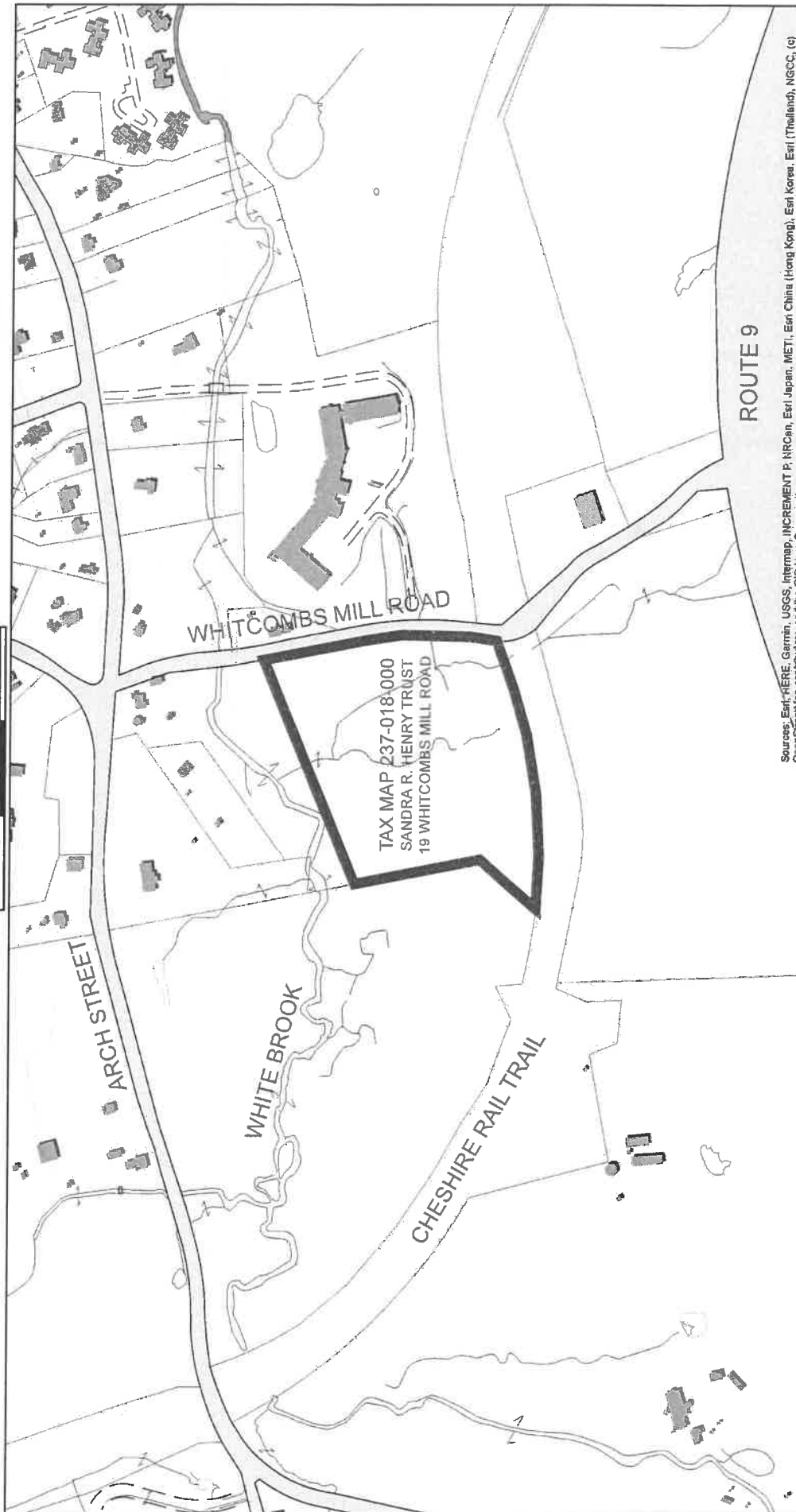
1 inch = 300 Feet



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CITY OF KEENE

Ordinance O-2022-02

Twenty-two

In the Year of Our Lord Two Thousand and
 Relating to Amending the Zoning Map to Change the Zoning Designation at 19
 AN ORDINANCEWhitcomb's Mill Road from Rural and Agricultural to Low Density-1.....

Be it ordained by the City Council of the City of Keene, as follows:

That the Ordinances of the City of Keene, as amended, are hereby further amended, by changing the Zoning designation at 19 Whitcomb's Mill Road, TMP 237-018-000 (Map 237 lot 018) from Rural and Agricultural to Low Density-1A certain tract of land on the west side of Whitcomb's Mill Road in City of Keene, County of Cheshire and State of New Hampshire, bounded and described as follows:

Rural Zone

Beginning at a point which marks the intersection of the westerly line of Whitcomb's Mill Road (referred to in former deeds as Daniel Hill Road) and the northerly line of land of the State of New Hampshire:

Thence South 72°39'45" West 116.61 feet, more or less, along land of the State of New Hampshire to a point;

Thence a curve to the right with a radius of 1859.86 feet and a length of 568.58 feet, more or less, along land of the State of New Hampshire to a point at the agricultural zone below;

Thence North 09°55'01" West 194.54 feet, more or less, along the agricultural zone below to an iron pin at land of Mark and Alona Florenz;

Thence North 09°55'01" West 408.53 feet, more or less, along a stone wall and land of Mark and Alona Florenz to an iron pin;

Thence North 68°33'19" East 772.57 feet, more or less, along land of Weston Griswold Trust to an iron pin on the westerly line of Whitcomb's Mill Road;

Thence southerly 764 feet, more or less, along the westerly line of Whitcomb's Mill Road to the place of beginning (the "closure line" of the last course is South 04°14'19" East 759.35 feet).

Containing 11.84 acres, more or less.

Agricultural Zone

Beginning at a point on the northerly line of land of the State of New Hampshire at the southwest corner of the rural zone above;

Thence a curve to the right with a radius of 1859.86 feet and a length of 197.55 feet, more or less, along the land of the State of New Hampshire to an iron pin at land of Mark and Alona Florenz;

Thence North 40°07'49" East 154.44 feet, more or less, along a stone wall and land of Mark and Alona Florenz to a point;

Thence North 45°44'44" East 89.49 feet, more or less, along a stone wall and land of Mark and Alona Florenz to an iron pin at the rural zone above;

Thence South 09°55'01" East 194.54 feet, more of less, along the rural zone above to the place of beginning.

Containing 0.45 acres, more or less.

Containing 12.29 acres, more or less, on a survey map entitled "Preliminary Subdivision Plan of land, Sandra R. Henry Trust, Tax Map 237 Lot 18, 19 Whitcomb's Mill Road, Keene, New Hampshire"; dated May 29, 2021; prepared by Paton Land Surveying.

George S. Hansel, Mayor

In City Council January 20, 2022.
Referred to the Joint Planning Board
and Planning, Licenses and Development
Committee.



City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #J.1.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Relating to Class Allocation and Salary Schedule
Ordinance O-2022-01**

Council Action:

In City Council January 20, 2022.

Report filed as informational. Voted unanimously for the adoption of Ordinance O-2022-01.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2022-01.

Attachments:

1. Ordinance O-2022-01 _Adopted

Background:

Asst. City Manager/Human Resources Director Beth Fox addressed the Committee next. Ms. Fox stated she is before the Committee to request moving forward with some adjustments to the City's salary and class allocation ordinance that applies to non-union employees.

The City has six collective bargaining units and a group of non-union employees. The collective bargaining units' salaries, wages and benefits are governed by those negotiated collective bargaining agreements which are approved by the Council. However, the non-union employees' salary and benefits are determined by City Ordinance.

Ms. Fox stated the Ordinance contains a few amendments. The first change is for probationary firefighters. Currently we have a graded scale for probationary firefighters depending on their education certification and licensure levels. As part of the City's strategy to reach higher and develop more paramedic level firefighters, the City would like to advance a paramedic only scale. This does not mean the City would be only hiring paramedics, but that the City could hire an employee who has a paramedic license and then do the training to bring them up to the firefighter 1, or firefighter 2 level within their probationary period. It takes two years to become a paramedic and it's about 250 hours to get the firefighter certification. But putting this change in place it would mean an individual would have done the more difficult part of their training first and then advance them to a firefighter. The HR Director noted the City is trying to increase its paramedic enrollment because of quite a few retirements in the recent past.

The second area being proposed to amend are in the Administrative Office Technical and Management Section scale of the Code. Those changes include:

1. Creation of an Audio Video Production Specialist. This position has been caused with the City taking over the audio/video responsibilities of its own public meetings. This position would be focused on those responsibilities. Currently this is temporary employment agreement position.
2. IT department - The City has an employee in the IT Department who came from Public Works, and who spent a few years in IT and is now back in Public Works as the Transportation and Stormwater Management Manager. This change required the City to look at the IT Department and identify a need to increase the skill level of its technical support position; in addressing security needs of the organization which are ever increasing. The proposal is eliminate the current Technical Support Specialist position and establish an IT Systems Specialist position which is two grades higher than the existing position.
3. Public Works - Since July of 2018, the City has had an employee who has been acting in the capacity of a Water Sewer Manager. The City will be in short order onboarding a Water Sewer Manager and he will be going through a process to obtain a license. What is also being proposed is a change to the Water Treatment Plant or the Wastewater Treatment Plant Manager that they will have a requirement to be a secondary holder of a treatment or collection license for the utility they don't have primary responsibility for. This will allow the City to have two employees in the organization that have the necessary licenses. This position will be reclassified by one grade.
4. When name changing happened at the last update, the Water Sewer Superintendent was re-titled to Water Sewer Manager which created confusion with the Operations Plant Manager position. To clean this up, the proposal is to insert before the Operation Plant Manager title, the term Utility Treatment so that it reads "Utility Treatment Operations Plant Manager."

Councilor Chadbourne referred to the wastewater treatment position, wanting to increase by grade and requiring the licensing, she asked whether somebody who is already in place would be able to apply for the position without the license with the understanding that he or she would get their license. And if so, does the City help pay for whatever fees are required in obtaining that license.

Ms. Fox stated the City does assist with training employees to higher levels of licensure. She added for the Wastewater Treatment Plant Manager position, they will be required to have the license in the area that they are primary upon being hired. The water treatment person would need the water license, but it will give them time to get the license in the area of collection or distribution.

The Councilor asked whether these individuals would be required to get re-licensed after a period of time and whether this oversight was within City staff. Ms. Fox stated licensure is controlled by the State of New Hampshire and there is continuing education requirements associated with holding those licenses. Councilor Madison added these individuals are required to obtain, depending on the grade of the license, a certain number of continuing education credits every year.

Councilor Chadbourne questioned why the grade level is going up by two grades for the position in the IT Department. Ms. Fox stated they looked at this positions in other communities and the skill set the City was looking to attain seemed like that would be the skill set grade level that was appropriate. Rebecca Landry IT Director/Assistant City Manager stated she is trying to delay requiring a cyber-security position in IT and instead of going from seven to eight employees, she is looking for a person who does more than desktop tech support and alleviate the burden on the System Administrators right now.

Councilor Remy made the following motion, which was seconded by Councilor Madison.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2022-01.



CITY OF KEENE

O-2022-01

Twenty-two

In the Year of Our Lord Two Thousand and

Relating to Class Allocations and Salary Schedules

AN ORDINANCE

Be it ordained by the City Council of the City of Keene, as follows:

That the Ordinances of the City of Keene, as amended, hereby are further amended by deleting the stricken text and inserting the bolded text in Section 62-191, "Probationary Firefighter;" and Section 62-194, "Administrative, Office, Technical and Management personnel", of Chapter 62 entitled, "Personnel," effective January 23, 2022.


George S. Hansel, Mayor

In City Council January 6, 2022.

Referred to the Finance, Organization
and Personnel Committee.


City Clerk

City Code Section 62-191

**PROBATIONARY FIREFIGHTER
HOURLY WAGE SCHEDULE
Non-bargaining unit
(effective January 23, 2022)**

<u>GRADE</u>		<u>STEP 1</u>
F 1	Firefighter/EMT B	\$20.64
F 2	Firefighter/A-EMT	\$21.87
F 3	Firefighter/Medic	\$23.27
F 4	Paramedic Only	\$21.87

City Code Section 62-194

ADMINISTRATIVE, OFFICE, TECHNICAL AND MANAGEMENT

(effective January 23, 2022)

<u>GRADE</u>	<u>CLASS ALLOCATION</u>
S 4	Library Aide
S 5	Minute Taker
S 6	Administrative Assistant; Records Clerk
S 7	Administrative Assistant I
S 8	NO POSITIONS ASSIGNED
S 9	NO POSITIONS ASSIGNED
S 10	Audio Video Production Specialist
S 11	Office Manager; Parking Services Technician
S 12	Librarian I; Planning Technician; Executive Secretary; Staff Accountant; Police Dispatch Supervisor; Fire Department Administrator
S 13	NO POSITIONS ASSIGNED
S 14	NO POSITIONS ASSIGNED
S 15	Executive Assistant; Librarian II; Payroll Administrator; Human Resources Assistant; Youth Services Manager; Mapping Technician; Engineering Technician; Technical Support Specialist ; Assistant City Clerk; Parking Operations Manager; Senior Paralegal
S 16	Planner; Laboratory Supervisor
S 17	Appraiser; Recreation Programmer; Librarian III; Parks & Cemetery Maintenance Superintendent; Treatment Plant Manager ; Fleet Services Operations Manager; Senior Staff Accountant; Airport Maintenance & Operations Manager; IT Systems Specialist
S 18	Water/Sewer Operations Manager; Purchasing Agent; Civil Engineer; Solid Waste Manager; Maintenance Manager; Revenue Collector; Records Manager/Deputy City Clerk; Laboratory Manager; Human Services Manager, Treatment Plant Manager
S 19	Transportation/Stormwater Operations Manager; Utilities Treatment Operations/Plant Manager ; Senior Planner; Recreation Manager
S 20	Systems Administrator; Purchasing & Contract Services Manager; Assistant City Attorney
S 21	NO POSITIONS ASSIGNED
S 22	NO POSITIONS ASSIGNED
S 23	NO POSITIONS ASSIGNED
S 24	City Engineer; Assistant Public Works Director/Division Head; Assistant IT Director; Database Administrator; Airport Director; Building/Health Official
S 25	Human Resources Director; Library Director; Assistant Finance Director/Assistant Treasurer; Police Captain; Deputy Fire Chief
S 26	Community Development Director; City Assessor; Parks, Recreation & Facilities Director
S 27	Finance Director/Treasurer; IT Director
S 28	Police Chief; Fire Chief; Public Works Director
S 29	NO POSITIONS ASSIGNED
S 30	NO POSITIONS ASSIGNED



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.1.

Meeting Date: January 20, 2022

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

Subject: In Support of a Medicare for All Plan
Resolution R-2021-46-A

Council Action:

In City Council January 20, 2022.

Report filed as informational. Voted 10 in favor two opposed for the adoption of Resolution R-2021-46-A.

Recommendation:

On a vote of 2–1, the Planning, Licenses and Development Committee recommends the adoption of Resolution R-2021-46 as amended.

Attachments:

1. Resolution R-2021-46-A_Adopted
2. R-2021-46-A - Redlined Version

Background:

Chair Bosley asked to hear from James Murphy.

James Murphy of Keene, NH, stated that the Resolution that was drafted by staff is just right. He continued that he is happy with it and cannot think of how it could be written better. He wants to thank everyone. Keene's passage of the Resolution would join over 80 small to large cities that have adopted Medicare for All resolutions. Some are local towns such as Peterborough, Andover, Hanover, and Putney, VT. Large cities include Hoboken, Duluth, St. Paul, Indianapolis, Stanford, New Haven, New London, Washington, DC, Milwaukee, Detroit, Los Angeles, San Francisco, New Orleans, Durham, Cook County, Pittsburgh, Philadelphia, Seattle, and Ann Arbor.

Chair Bosley thanked Mr. Murphy for coming back and reading through this Resolution. She continued that she knows the PLD Committee supported this before the full Council, which also supported it. They are happy to have it back. There has been a lot going on for the City and she knows it took a bit of time to get all the wording together, but it was important, and she thinks it was done very well.

Chair Bosley asked if there were any questions from the Committee. Hearing none, she asked if members of the public had any questions or comments.

Dr. Ahmed Kutty, of Peterborough, NH, stated that he was one of the activists who got this resolution passed in Peterborough last spring by warrant article. He continued that they had something like 70 or 100 more in favor than opposed, which was a fairly good majority of people in support. In Peterborough, they asked the Selectmen write to their Congressional delegation to say their community supported it, as expressed by the wording of the Medicare for All Resolution. That is already in the House.

Councilor Remy stated that his comments are not specific to the Resolution itself, but this is a highly partisan issue, whether it should be or not. He continued that he does not think it is the position of the Council to take a position on this particular issue, because they will be representing half of their population and not representing the other half.

Chair Bosley stated that she had one question as she reviewed the wording. She continued that Section 6 states, "Whereas a Medicare for All plan would guarantee that all residents of the City of Keene will be fully covered for healthcare without co-pays, deductables, and other out of pocket costs, and would save millions in taxpayer dollars now spent on premiums that provide often inadequate health insurance coverage," the sentence continues, "for government employees," but she thinks that statement is fair for all individual citizens of Keene, as well as the City's employees. She would like to see "for government employees" stricken so the sentence ends with the word "coverage."

Councilor Jones stated that he agrees. Chair Bosley asked Councilor Ormerod if he is comfortable with that change. Councilor Ormerod agreed.

Chair Bosley asked if members of the public had any questions about that edit. Hearing none, she asked for a motion.

Councilor Jones made a motion for the Planning, Licenses, and Development Committee to recommend the adoption of Resolution R-2021-46-A. Councilor Ormerod seconded.

Councilor Jones stated that he loves this concept and is all for it. He continued that out of the 34 more civilized countries in the world there is only one that does not have some kind of full medical plan for its constituents. However, as he has said right from the beginning, he does not think this is City business. That is the only thing he is opposed to. If they pass this Resolution, the City Council could start receiving requests related to gun rights, abortion rights, voting rights, and so on and so forth, and his question is where it would end. That is his concern. He knows this Resolution will pass and he congratulates Mr. Murphy, but he will be voting 'no,' for the reason stated.

Chair Bosley stated that she would tend to agree with Councilor Jones. She continued that she thinks they discussed this at the original Committee level, and she supports this concept completely and supports it for our nation. She does not necessarily think the City Council is a place for some of these items to come, but regarding this particular item, she voted in favor of it because it does have a cost benefit to the City. Should the City be taking a stand on many of these national issues that do not directly benefit the City? She thinks that the lines start to blur, and the Committee will have to work that out over the coming year as they look at what type of legislative items they want to comment on. In this instance, however, she is happy to support this Resolution.

Councilor Ormerod stated that in this particular case, he is supporting it because it does benefit the citizens of Keene. This really helps them communicate with the State and Federal government regarding what the City's wishes and intentions are. It comes down to the 23,000 residents and other people here in Keene whom this Resolution is going to benefit. Because it benefits everyone,

regardless of political party, he will support it.

On a vote of 2 – 1, the Planning, Licenses and Development Committee recommends the adoption of Resolution R-2021-46 as amended. Councilor Jones was opposed.



CITY OF KEENE

R-2021-46-A

2021

In the Year of Our Lord Two Thousand and

A RESOLUTION in Support of a Medicare for All Plan

Resolved by the City Council of the City of Keene, as follows:

WHEREAS, the number of Americans without health insurance is nearly 30 million, while more than 40 million Americans remain underinsured, despite important gains made since the implementation of the Affordable Care Act; and

WHEREAS, every person in the City of Keene deserves high quality health care; and

WHEREAS, the never-ending rising costs of health care add challenges to our already strapped municipal budget and our small businesses, which keep our communities thriving; and

WHEREAS, a Medicare for all plan would provide national health insurance for every person in the United States for all necessary medical care including prescription drugs; hospital, surgical and outpatient services; primary and preventive care; emergency services; reproductive care; dental and vision care; and long-term care; and

WHEREAS, a Medicare for all plan would provide coverage without copays, deductibles or other out-of-pocket costs, and would slash bureaucracy, protect the doctor-patient relationship and assure patients a free choice of doctors; and

WHEREAS, a Medicare for all plan would guarantee that all residents of the City of Keene will be fully covered for health care without copays, deductibles or other out-of-pocket costs, and would save millions in taxpayer dollars now spent on premiums that provide often inadequate health insurance coverage; and

WHEREAS, the quality of life for the residents of the City of Keene will vastly improve because they would be able to get the ongoing care they need, instead of waiting until they have a medical emergency that could upend their lives as well as further burden local resources.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Keene supports a Medicare for all plan and calls on our federal legislators to work towards a plan, which would assure appropriate and efficient health care for all residents of the United States.


George S. Hansel, Mayor

PASSED

January 20, 2022

2021

in Support of a Medicare for All Plan

WHEREAS, the number of Americans without health insurance is nearly 30 million, while more than 40 million Americans remain underinsured, despite important gains made since the implementation of the Affordable Care Act; and

WHEREAS, every person in the City of Keene deserves high quality health care; and

WHEREAS, the never-ending rising costs of health care add challenges to our already strapped municipal budget and our small businesses, which keep our communities thriving; and

WHEREAS, a Medicare for all plan would provide national health insurance for every person in the United States for all necessary medical care including prescription drugs; hospital, surgical and outpatient services; primary and preventive care; emergency services; reproductive care; dental and vision care; and long-term care; and

WHEREAS, a Medicare for all plan would provide coverage without copays, deductibles or other out-of-pocket costs, and would slash bureaucracy, protect the doctor-patient relationship and assure patients a free choice of doctors; and

WHEREAS, a Medicare for all plan would guarantee that all residents of the City of Keene will be fully covered for health care without copays, deductibles or other out-of-pocket costs, and would save millions in taxpayer dollars now spent on premiums that provide often inadequate health insurance coverage ~~for government employees~~; and

WHEREAS, the quality of life for the residents of the City of Keene will vastly improve because they would be able to get the ongoing care they need, instead of waiting until they have a medical emergency that could upend their lives as well as further burden local resources.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Keene supports a Medicare for all plan and calls on our federal legislators to work towards a plan, which would assure appropriate and efficient health care for all residents of the United States.

George S. Hansel, Mayor